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EQUAL RIGHTS

"MEN AND WOMEN SHALL HAVE EQUAL RIGHTS THROUGHOUT THE UNITED STATES AND EVERY PLACE SUBJECT TO ITS JURISDICTION"

Amendment to the United States Constitution now before Congress

Pearl Buck To Be Convention Speaker

"Future generations will read of us with amazement and ridicule because it took our country so long to carry out the equality proclaimed in its Declaration of Independence, and because our mothers, wives, and all the noble women of our nation were so long denied the rights granted to the lowest and worst of the males. For this, women themselves, are as much to blame as men are for the tyrannies they have so often accepted, but this evil is as tragic and ludicrous as it is ancient. Particularly in these days when democracy is in deadlock with despotism, we need the strength and wisdom of our womankind, and we should purify our laws of the outrageous and unmerited discriminations against them."

Rupert Hughes.

NATIONAL WOMAN'S PARTY
Washington, D. C.

Vol. 26, No. 7 November, 1940 Price Five Cents

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Equal Rights

Official Organ
of the
NATIONAL WOMAN'S PARTY
Capitol Hill Washington, D. C.
Phone Atlantic 1210

Published Monthly at
144 B Street, N. E., Washington, D. C.

Entered as second-class matter at the post-office at Washington, D. C., under the Act of March 3, 1879.

Subscription, $1.00 a Year
Foreign Subscription, $1.50

MRS. HARVEY W. WILEY . . . . . Editor
DORA G. OGLE . . . . . Business Manager

CONTRIBUTING EDITORS

ALMA LUTZ — INEZ HAYNES IRWIN
EDITH HOUGHTON HOOKER — HELEN ROBBINS BITTERMANN

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STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF MARCH 3, 1933.

Of EQUAL RIGHTS, official organ, National Woman's Party, published monthly at Washington, D. C., and printed at 406 W. Redwood Street, Baltimore, Md., for October 1, 1940.

State of Maryland: ss.

Before me, a Notary Public, in and for the State of Maryland aforesaid, personally appeared Dora G. Ogle, who, having been duly sworn according to law, deposes and says that she is the Business Manager of EQUAL RIGHTS, official organ, National Woman's Party, Inc., and that the following is, to the best of her knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 537 Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:

Publisher, National Woman's Party, Inc., 144 B Street, N. E., Washington, D. C.
Editor: Mrs. Harvey W. Wiley, 144 B Street, N. E., Washington, D. C.

2. That the owner is: (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a firm, company, or other unincorporated concern, its name and address, as well as those of each individual member, must be given.)
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3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: (If there are none, so state.)
There are no stockholders. A non-profit organization, designed for educational purposes only.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

5. That the average number of copies of each issue of this publication sold or distributed, through the mails or otherwise, to paid subscribers during the twelve months preceding the date shown above is: (This information is required from daily publications only.)

DORA G. OGLE, Business Manager.

Sworn to and subscribed before me this 8th day of October, 1940.

J. DAL ROGERS, Notary Public.

(My commission expires May 5, 1941.)

Two Years

OUR efforts in behalf of equal rights during the past two years have been fruitful. The Equal Rights Amendment was introduced into both Houses of Congress on the opening day of the 76th Congress and was favorably reported by the subcommittee of the House Judiciary to the full committee on April 26, 1939. On January 16, 1940, the Chairman of the Committee on Labor of the House of Representatives expressed the opinion that the time had come when the proposed amendment to the Constitution of the United States, granting men and women equal legal rights, should be submitted to the states for adoption.

The amendment has been publicized during these two years by large demonstrations throughout the country on the birthdays of the pioneers, and on July 19th, now known as Woman's Independence Day, the anniversary of the Seneca Falls convention of 1848. Amy C. Ransome has sponsored booths at the New York World's Fair in 1939 and at the San Francisco World's Fair in 1940 where thousands of tourists stopped for information and to sign petitions. The seal campaign has been enthusiastically carried on and Equal Rights Seals have carried and are carrying the message of equal rights throughout the country every day of the year.

Internationally our work has gone on. On April 3, 1939 the unjust regulations to prohibit the right of "indigenous" women to contract for their employment proposed by the International Labor Organization, due to the opposition led by the National Woman's Party, was deleted from the proposed international conventions. Senator Arthur Capper introduced a resolution in the Senate which protested against the proposed unjust regulation which alarmingly implied that there is no limit to the authority of the I. L. O. to restrict the labor of all women "indigenous" or not.

Following the formation of the World Woman's Party, at the last Biennial Convention dedication of the beautiful headquarters on Lake Geneva, Switzerland, was held August 18, 1939 with an international pageant of great beauty and with a radio program heard around the world. In July, 1939, a delegation from the World Woman's Party appeared at the annual convention of the I. L. O. and urged: (1) that all conventions concluded by the I. L. O. be founded on the principles of equal rights for men and women and; (2) that both men and women with equal voting rights be placed on all delegations to meetings and conferences held under the auspices of the I. L. O.

The Republican Party on June 27, 1940 definitely advocated submission of the Equal Rights Amendment to the States. Its platform was endorsed by all its leaders and voted for by twenty million people. In addition, some of the ablest leaders of the Democratic Party have expressed their approval of the amendment, and their sympathy with our Cause. We should win in the next Congress.

A New Discrimination

Once more women have been discriminated against in a new opportunity to earn a living. The selective service regulations do not permit women to serve on draft boards. Numerous organizations and individuals throughout the country have protested against the regulation. It could not exist if the Equal Rights amendment were in effect.

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Pearl Buck Banquet Guest

THE success of the biennial convention banquet is assured by the acceptance of Mrs. Richard J. Walsh, better known as Pearl Buck, of an invitation to be the principal speaker. The third American to receive the Nobel prize for literature, Mrs. Buck is an ardent supporter of the Equal Rights cause. Senator Guy M. Gillette of Iowa will say a few words about our prospects in the next Congress and Mrs. Ethel Murrell of Florida will be another speaker.

One business meeting at the Convention is to be devoted to discussion of plans and policies, organization and publicity. At this time we will hear from our new Chicago chairman, Lorraine Blair, from Mrs. Serena Davis of Philadelphia, from Alma Lutz and from such old war horses as Edith Houghton Hooker, Anita Pollitzer and Florence Bayard Hilles. Amy C. Ransome and Clara Snell Wolfe also have agreed to speak. Let us call them the parachute corps. Jane Norman Smith will preside at this meeting. All members are invited to participate in the discussion.

All convention guests, delegates and members are invited to a reception at Alva Belmont House on Friday evening at which the members of District Branch and the Rhode Island Branch under the leadership of May Heffernan will be the hostesses. On this occasion the memorial portrait of Maud Younger will be unveiled.

All state chairmen have been urged to bring reports of their activities and information about the attitude of their representatives in Congress.

The convention promises to give the final impulse to push the amendment through the Senate and House of Representatives.

NATIONAL WOMAN'S PARTY

1940 Biennial Convention

December 6, 7, and 8

MAYFLOWER HOTEL, WASHINGTON, D. C.

FRIDAY, DECEMBER 6, 1940

2:00 P. M.—Meeting of the Executive Council, Alva Belmont House.

4:00 P. M.—Meeting of the National Council, Alva Belmont House.

8:00 P. M.—Reception to members and friends, Alva Belmont House.

9:00 P. M.—Unveiling of portrait of Maud Younger, Alva Belmont House.

SATURDAY, DECEMBER 7, 1940

9:00 A. M. to 6:00 P. M.—Registration of Delegates and Visitors Mayflower Hotel, Corridor.

10:00 A. M.—Business Meeting, Mayflower Hotel, Pan American Room.

Address of National Chairman.
Appointment of Committees.
Reports of Chairmen and Officers.

2:00 P. M.—Business Meeting, Mayflower Hotel, Pan American Room.

Discussion of plans and policies.

7:30 P. M.—Banquet, Mayflower Hotel, Chinese Room. $2.50 per person. Reservations should be made in advance at the Party Headquarters.

SUNDAY, DECEMBER 8, 1940

10:00 A. M.—Business Meeting, Mayflower Hotel, Pan American Room.

Reports.

2:00 P. M.—Business Meeting, Mayflower Hotel, Pan American Room.

Reports of Credentials and Nominating Committees.

Election.

Address of incoming Chairman.

8:00 P. M.—Meeting of the National Council.

Convention Chairman, Edwina Austin Avery.

Headquarters, Mayflower Hotel, Rates Single rooms, $4 to $6; Double rooms $6 to $8; Double rooms (twin beds) $7 to $10.

Any person wishing accommodations at lower rates in Washington should communicate with Caroline Lexow Babcock, Alva Belmont House.

Maud Younger Portrait

On Friday, December sixth, during the convention of the National Woman's Party, a Party member will unveil a portrait of Maud Younger. To those who knew Maud Younger, the nobility of her character, the selflessness of her devotion, the quality of her achievement looms bigger and warmer with the years. Educated, cultivated, much-traveled, socially adept, politically adroit, but beyond this immeasurably generous, gallant and self-sacrificing, she poured the richness of her nature and of her equipment into the National Woman's Party. When it was a question of the Party, time did not exist for Maud Younger; she put no stay on the expenditure of her rich vitality. She was a whirlwind worker.

She lobbied Congress unceasingly. She wrote articles on the work of the Party for the magazines. She made speeches all over the country; in drawing-rooms by virtue of her genial social ease, her great eloquence and her shy, delicious humor; in labor organizations everywhere by virtue of the card which she held from the Waitresses' Union in San Francisco, of which she had once been president and by virtue of the honor and admiration in which the entire labor movement held her.

She asked for returns neither in tangible rewards, nor in publicity. When she died, alas too young considering her amazing energy, I wrote one sentence about her which still sums her up better to me than any possible further words of mine could do. Those words are—all she was and all she had, she gave to women.

Inez Haynes Irwin.

Palo Alto Branch

On October 12, 1940, a Palo Alto California Branch of the National Woman's Party was formed as a result of a meeting called by Dr. Mary Wilhelmine Williams. Mrs. Alice Park and Dr. Williams told of the activities and aims of the Party and Mrs. Laura Longanaker was elected chairman of the new Branch.

Reserve Your Table

The Biennial Banquet offers an unusually brilliant opportunity to State Chairmen to entertain their Senators and Congressmen. The tables seat ten. Engage one or more now and invite your Congressional Delegation to listen in on Equal Rights.

The First Anniversary Of The World Woman's Party

By Anna Hamburger-Ludwig

WHO would dare to organize a meeting for equality for women here in Europe—in 1940? We did dare to do it—with songs and music and flags.

Here on the terrace in front of the Villa Bartholoni, the lovely home of the World Woman's Party, there assembled on Sunday afternoon, September first, people of many nations. Every seat was taken; many stood at the entrance gate throughout the ceremony.

The meeting centered around our Call to the women of the world. The Swiss Vice-President of the World Woman's Party, Mme. Marie Lachenal, from one of the governing families of Switzerland, read the Call in French and found in her public the echo which it will find throughout the whole world.

The Call made all who heard it realize it is not the will of women that innocent people are wandering today homeless on the roads of Europe; not the will of women that parachutists are falling out of the clouds; not the will of women that bombs are crashing, night by night—but that is the will of women to bring kindliness into world relations as they bring it into the family. The Call emphasized: by women joining together all over the world they will be mighty enough to say, one day, "We are the great new army without arms; no new world can be built without our advice, our help."

The Woman's Party sketch was presented, composed, played, and sung by a group of professional artists—all members of the Woman's Party—under the guidance of Mme. Lachenal. On the Greek perystile, women in green gowns leaning against the columns sang masterpieces by Haydn, Debussy, Faure and Wolff, interwoven in the play. The artists played in a masterly fashion. Joining hands at the end, they moved graciously up and down the stairs, singing "Si toutes les filles du monde voulaient s'donner la main."

How lovely it all was—we can best express it by the French word "charmant."

But then we write the date 1940 and it means: the time when women were not asked about war or no war. Dear sisters over the ocean, we look at you imploringly for, while I am writing, the radio tells about bombs. Mothers in our rooms here at the Woman's Party villa have their sons at the front. The postman is a rare visitor. Frontiers are closed. As I write, here in my small quiet room, three alerts have awakened sleepers, making us remember again our times. Aeroplanes over Switzerland, the only untouched country. Only the pressing duties of the day make us forget for a time our anxiety.

But in spite of all, we prepared our Anniversary festival happily. After the meeting there came to us many friends: "We want to become members, we want to write about your meeting. Let us come to help in your work. Your Anniversary meeting was beautiful and noble, a hope and a dedication."

For Thanksgiving

Each member pays what she thinks right to the National Woman's Party. Do you pay more to some organization that you do not love half so much? Could you bring your contribution up to that? Could you do it now? Let your conscience be your guide.

A Changed Commission

The Inter American Commission of Women, composed of twenty-one delegates appointed by their respective governments, with Headquarters at the Pan American Union, met in Washington from November 11th to 13th. This Commission was formed in 1928 when four members of the National Woman's Party, its then Chairman, Mrs. Jane Norman Smith, Miss Doris Stevens, Mrs. Valentine Winters and Miss Muna Lee, went to Havana, to the Sixth Pan American Congress, to request favorable action on the motion of the Fifth Congress in Santiago, Chile, calling for a study of the political and civil rights of women. They appeared before a full plenary session of the Congress. Their plea was granted and Miss Stevens was appointed by the Pan American Board as the first Chairman of the Inter American Commission of Women. For ten years, without salary and in addition raising all the funds with which the Commission, left without any appropriations, operated, Miss Stevens served as Chairman. Under her administration, the Commission reported its findings and recommendations officially in a series of printed reports, to the Seventh Pan American Congress at Montevideo and to the Eighth Congress at Lima, Peru. At the Congress held at Montevideo in 1933 the Equal Nationality Treaty, drawn by Miss Stevens, was adopted without a dissenting vote. In addition, the Equal Rights Treaty was signed by four South American countries, as a result of these efforts.

In the course of this accomplishment the Chairman sometimes found herself in opposition to the State Department and official delegates of the United States and was obliged to appeal to the women's organizations at home to exert their influence upon action of the delegates. In 1939 the United States took advantage of a resolution directing those Governments which had not already done so to appoint members of the Commission and appointed a woman whose views coincided more completely with those of the State Department.

So the Commission as now constituted will doubtless present the policies toward women approved of by the various State Departments, but it is unlikely that policies approved only by women's organizations as such will reach the Conference Session.

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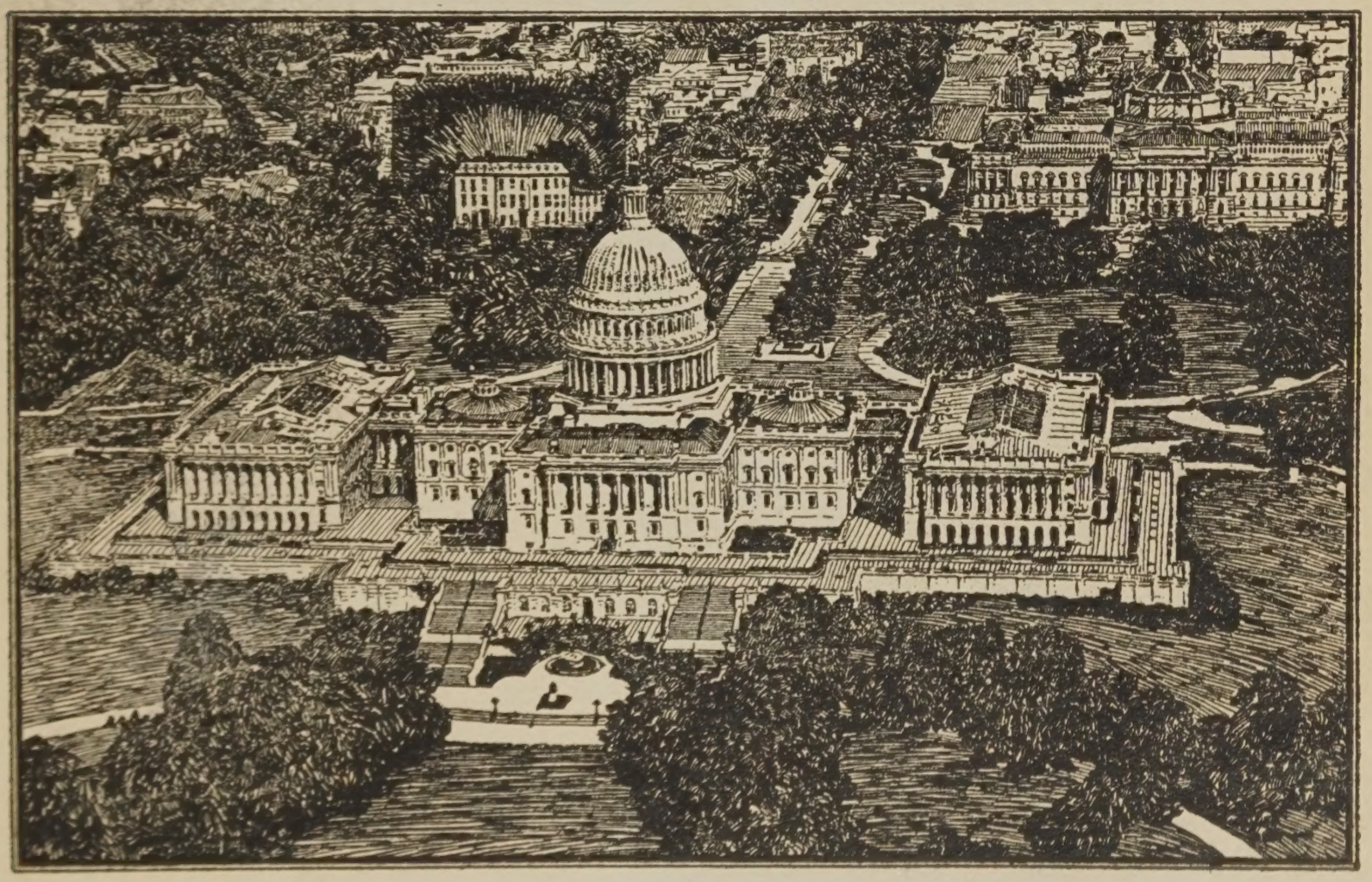
The National Woman's Party

What it is
What it has done—What it is doing



National Woman's Party Headquarters
Opposite National Capitol
U.S. Senate
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The National Woman's Party

HISTORY

Organized: As temporary association for suffrage campaign—1913.

Object: Nationwide suffrage for women.

Attainment of Object: Ratification of National Suffrage Amendment, 1920.

Reorganized: On a permanent basis, 1921.

Object: Removal of all forms of the subjection of women.

Immediate Object: Removal of all discriminations in the law.

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SUMMARY

The Woman's Party Work Since the Suffrage Campaign
(1921-1924)

NATIONWIDE EQUAL RIGHTS PROGRAM UNDERTAKEN

EQUAL RIGHTS AMENDMENT INTRODUCED IN CONGRESS

OVER $300,000 RAISED FOR EQUAL RIGHTS CAMPAIGN

PERMANENT NATIONAL HEADQUARTERS OPPOSITE NATIONAL CAPITOL, PURCHASED AND COMPLETELY PAID FOR

DETAILED SURVEY MADE OF NATIONAL AND STATE LAWS DISCRIMINATING AGAINST WOMEN

EQUAL RIGHTS MAGAZINE ESTABLISHED

EQUAL RIGHTS LITERATURE CREATED

COUNTRY AROUSED TO EQUAL RIGHTS QUESTION BY PUBLICITY AND ORGANIZING CAMPAIGN

EQUAL RIGHTS LEGISLATION PASSED IN FIFTEEN LEGISLATURES

DISCRIMINATIONS AFFECTING OVER TWENTY-FOUR MILLION WOMEN REMOVED

INTERNATIONAL PARLIAMENT OF WOMEN UNDERTAKEN

What The Woman's Party Is

THE Woman's Party is a national non-partisan organization of women, dedicated to the freedom of women, and open to all women who will put that cause before the interests of any political party.

Its aim is to remove all discriminations against women in public and private life. It seeks to obtain for women equal rights and opportunities with men before the law, in the professions, in industry, in education, in the church, in the home and in the conduct of our government—in short: to obtain for women a position where they shall be able to direct their own lives, and equally with men to direct the course of our common national life.

The ***Declaration of Principles*** of the Woman's Party, which is the official statement of the object of the organization, is as follows:

W*HEREAS, Women today, although enfranchised, are still in every way subordinate to men before the law, in government, in educational opportunities, in the professions, in the church, in industry, and in the home.*

B*E IT RESOLVED, That as a part of our campaign to remove all forms of the subjection of women, we shall work for the following immediate objects:*

THAT women shall no longer be regarded and shall no longer regard themselves as inferior to men, but the equality of the sexes shall be recognized.

THAT women shall no longer be the governed half of society, but shall participate equally with men in the direction of life.

THAT women shall no longer be denied equal educational opportunities with men, but the same opportunities shall be given to both sexes in all schools, colleges and universities which are supported in any way by public funds.

THAT women shall no longer be barred from any occupation, but every occupation open to men shall be open to women, and restrictions upon the hours, conditions, and remuneration of labor shall apply alike to both sexes.

THAT women shall no longer be discriminated against in the legal, the medical, the teaching, or any other profession, but the same opportunities shall be given to women as to men in training for professions and in the practice of these professions.

THAT women shall no longer be discriminated against in civil and government service, but shall have the same right as men to authority, appointment, advancement and pay in the executive, the legislative, and the judicial branches of the government service.

THAT women shall no longer be discriminated against in the foreign trade, consular and diplomatic service, but women as well as men shall represent our country in foreign lands.

THAT women shall no longer receive less pay than men for the same work, but shall receive equal compensation for equal work in public and private employment.

THAT women shall no longer be barred from the priesthood or ministry, or any position of authority in the church, but equally with men shall participate in ecclesiastical offices and dignities.

THAT a double moral standard shall no longer exist, but one code shall obtain for both men and women.

THAT exploitation of the sex of women shall no longer exist, but women shall have the same right to the control of their persons as have men.

THAT women shall no longer be discriminated against in treatment of sex diseases and in punishment of sex offenses, but men and women shall be treated in the same way for sex diseases and sex offenses.

THAT women shall no longer be deprived of the right of trial by a jury of their peers, but jury service shall be open to women as to men.

THAT women shall no longer be discriminated against in inheritance laws, but men and women shall have the same right to inherit property.

THAT the identity of the wife shall no longer be merged in that of her husband, but the wife shall retain her separate identity after marriage and be able to contract with her husband concerning the marriage relationship.

THAT a woman shall no longer be required by law or custom to assume the name of her husband upon marriage, but shall have the same right as a man to retain her own name after marriage.

THAT the wife shall no longer be considered as supported by the husband, but their mutual contribution to the family maintenance shall be recognized.

THAT the headship of the family shall no longer be in the husband alone, but shall be equally in the husband and wife.

THAT the husband shall no longer own his wife's services, but these shall belong to her alone as in the case of any free person.

THAT the husband shall no longer own his wife's earnings, but these shall belong to her alone.

THAT the husband shall no longer own or control his wife's property, but it shall belong to her and be controlled by her alone.

THAT the husband shall no longer control the joint property of his wife and himself, but the husband and wife shall have equal control of their joint property.

THAT the husband shall no longer obtain divorce more easily than the wife, but the wife shall have the right to obtain divorce on the same grounds as the husband.

THAT the husband shall no longer have a greater right to make contracts than the wife, but a wife shall have equal right with her husband to make contracts.

THAT married women shall no longer be denied the right to choose their own citizenship, but shall have the same independent choice of citizenship as is possessed by their husbands.

THAT women shall no longer be discriminated against in the economic world because of marriage, but shall have the same treatment in the economic world after marriage as have men.

THAT the father shall no longer have the paramount right to the care, custody, and control of the child, to determine its education and religion, to the guardianship of its estate, and to the control of its services and earnings, but these rights shall be shared equally by the father and mother in the case of all children, whether born within or without the marriage ceremony.

THAT no form of the Common Law or Civil Law disabilities of women shall longer exist, but women shall be equal with men before the law.

IN SHORT—THAT WOMAN SHALL NO LONGER BE IN ANY FORM OF SUBJECTION TO MAN IN LAW OR IN CUSTOM, BUT SHALL IN EVERY WAY BE ON AN EQUAL PLANE IN RIGHTS, AS SHE HAS ALWAYS BEEN AND WILL CONTINUE TO BE, IN RESPONSIBILITIES AND OBLIGATIONS.

As a first step in its campaign, the organization is concentrating on the removal of the disabilities under the law so that in the multitude of angles at which the law touches a woman's life, there may be no discrimination against her because of her sex.

In addition, Councils are being organized among the different economic and professional groups in the Woman's Party to work for the advancement of women in their particular fields. The Councils that have been organized, and their chairmen are as follows:

Actresses—Minnie Maddern Fiske
Mary Shaw
Artists—Mary Cassatt
Dentists—Dr. Gillette Hayden
Government Workers—
Laura Berrien
Home Makers—
Mrs. Harvey W. Wiley
Journalists—Ruth Hale
Lawyers—Dean Emma Gillett.
Ministers—Rev. Olympia Brown
Nurses—Lavinia Dock
Annie Goodrich
Physicians—Dr. Mary O'Malley
Scientists—Dr. C. S. Ludlow
Singers—Mary Garden
Teachers—Genevieve Melody
Industrial—Josephine Casey
Writers—Zona Gale

The Woman's Party from 1913 to 1920

THE Woman's Party was organized in 1913, under the name "Congressional Union for Woman Suffrage," as a temporary association to secure the national enfranchisement of women. At that time the campaign for suffrage was proceeding by the slow and laborious state by state method. After an agitation of over sixty years, women were enfranchised in only nine states. Suffrage for women was little discussed and in no sense a political question. It had not even reached a vote in Congress for twenty-six years.

The Woman's Party demanded immediate and nationwide suffrage by a federal amendment. It organized the women who were already enfranchised in the nine suffrage states to back this demand by voting against the Party in power as long as that Party blocked the national amendment. It organized deputations to the President and to Congress. These deputations grew larger and more frequent until finally they became a perpetual delegation, in the form of the historic picketing of the White House and of Congress. The question of suffrage was raised from obscurity to a foremost political issue. In 1919 the Administration and Congress capitulated; the suffrage amendment passed Congress and in 1920 the necessary thirty-six states ratified it.

[Details of this campaign may be obtained from Inez Haynes Irwin's book, "The Story of the Woman's Party" ($3.00), and Doris Steven's book, "Jailed for Freedom" ($2.00), at the Woman's Party Headquarters, Washington, D. C.]

Reorganization After Winning of Suffrage

After the winning of suffrage, the Woman's Party at once reorganized (1921) to work for the complete freedom of women in all lines. It was felt that the obtaining of the vote was only a step in the evolution toward the goal to which women's eyes were turned and that as women had stood together for suffrage, so they must stand together until they had opened all gates to women—until every vestige of the subjection of women had disappeared.

Nationwide Equal Rights Program Undertaken

A program to establish Equal Rights everywhere in the United States, and in every place subject to its jurisdiction, has been undertaken by the Woman's Party. This program consists in working for an Equal Rights amendment to the National Constitution, for Equal Rights legislation in the various states, and for the removing of all discrimination against women in the field of custom.

Permanent Headquarters Opened

During the first year after the reorganization of the Party for its new campaign, permanent Headquarters from which to carry on the work for woman's freedom were opened in Washington. The historic building

opposite the National Capitol, which had been occupied from 1815 to 1819 by Congress, was purchased by the National President of the Woman's Party, Mrs. Oliver H. P. Belmont, and presented as a gift to the association, for its permanent home.

The Headquarters is designed not only as a national and international center for the carrying out of the program of the organization, but also as a clubhouse where women engaged in any activity for the advancement of women may meet while in Washington—in short, an international embassy for women.

The Headquarters was dedicated May 21, 1922, with impressive ceremonies in which women from all parts of the country participated. Senator Charles Curtis, Chairman of the Rules Committee of the United States Senate; Congressman Simeon Fess, National Chairman of the Republican Congressional Committee, and Senator Thaddeus Carraway, representing the National Democratic Committee, spoke at the dedication, extending in person their good wishes for the new Headquarters. Greetings from the Governors of the various states, from women's organizations all over the world, from representatives of foreign nations, were placed in the cornerstone.

The remodelling and furnishing of the Headquarters has been undertaken by a committee of which Florence Bayard Hilles of Delaware is National Chairman.

Over $300,000 Raised for Equal Rights Campaign

The work of the organization is financed principally by membership fees and contributions. A total of over $300,000 has been raised by the National Headquarters since the Equal Rights Campaign began. (From March, 1921 to March, 1924.)

Nationwide Investigation of Discriminations Against Women

An exhaustive study into the discriminations against women has been made and is still being carried on as a basis for the campaign to remove these discriminations. This investigation is directed by Burnita Shelton Matthews, a member of the Bar of the Supreme Court of the United States, who has made a special study of the law concerning the status of women.

In the making of this investigation, every constitutional provision, every statute, and every court decision bearing upon the position of women is examined. The United States Supreme Court Library, which affords probably the best facilities in the country for such an inquiry, is used for this work.

For the first time, when this survey is completed, the exact legal status of women in this country will be definitely known, for the gradual modification of the old common law, varying from state to state, has led to complete confusion as to woman's legal rights.

Equal Rights Magazine Established

A weekly paper devoted to promoting the Equal Rights campaign was established in the spring of 1923, under the editorship of Mrs. Donald R. Hooker, who has also generously undertaken the responsibility of forming a committee to finance the paper for two years.

Equal Rights Literature Created

An entirely new literature in support of the Equal Rights program has been created to replace the suffrage literature used in the earlier activity of the organization. Among the leaflets already prepared or now in preparation are ones showing the discriminations against women in the laws of the forty-eight states and the District of Columbia; in the federal laws; in citizenship requirements; in government service; in the diplomatic, consular and foreign trade service; in the professions; in industry; in educational opportunities; in the church; in the enforcement of laws relating to sex offenses; in the wages and salaries paid to women in private and public employment. Pamphlets have also been written giving the historical background of the Equal Rights campaign and giving information concerning this movement in other countries.

Publicity and Organizing Campaign

The attention of the country has been increasingly turned to the Equal Rights question by a publicity and organizing campaign. Where a few years ago little was heard or written on the subject, today the people from one end of the country to the other are arguing in the press, at their meetings, in the home, for and against "Equal Rights."

Legislation Passed Removing Discriminations Against Women

As the state legislatures have convened, the Woman's Party has introduced bills for the removal of the disabilities of women in each particular state. Various points on the Equal Rights program affecting the lives of twenty-four million women have been adopted. These are listed below:

In California

Married women were given equal right with their husbands to will away half of the community property, which consists of property acquired after marriage by the industry of either or both of the married pair. (*Regular session*, 1923.)

In Colorado

The mother was given equal right with the father to sue for damages for a wrongful injury to a child. (*Regular session*, 1923.)

In Delaware

Women were given the right by Constitutional amendment to hold all public offices. (*Regular session*, 1921 and 1923.)

Mothers were given equal right with fathers to appoint by will a guardian of their minor children. (*Regular session*, 1923.)

Mothers were given equal right with fathers to inherit real estate from their deceased child. (*Regular session*, 1923.)

Widows were given the same share in the real estate of deceased husbands as widowers have in real estate of deceased wives. (*Regular session*, 1923.)

Wives were given equal right with husbands to reserve a limited amount of property which cannot be taken to satisfy debts. (*Regular session*, 1923.)

In Georgia

The mother was given equal right with the father to inherit from their deceased child. (*Regular session*, 1922.)

Married women were expressly given the right to be appointed guardians. (*Regular session*, 1922.)

Women were given the same right as men to be appointed guardians for their collateral relatives. (*Regular session*, 1922.)

In Louisiana

Women were given the right to hold all civil and political offices. (*Special session*, 1921.)

Women were given the right to be appointed administrators or executors on the same terms as men. (*Special session*, 1921.)

Women were given the right to be appointed as notaries public. (*Special session*, 1921.)

In Louisiana—(Continued)

Women were given the right to act as "witnesses assisting at public inventories." (*Special session*, 1921.)

Women were made "capable of all kinds of engagements and functions." (*Special session*, 1921.)

Widows were given the right to retain the guardianship of their children after re-marriage. (*Special session*, 1921.)

Women were given the right to be made guardians of children on the same terms as men, by will of the surviving parent, or by appointment when the parent dying last leaves no will. (*Special session*, 1921.)

Women were given the same right to act as guardian of their grandchildren as possessed by the grandfather. (*Special session*, 1921.)

Women were given the right to an equal voice in the sale or mortgage of the family home so that the family home "shall not * * * * be validly sold or mortgaged except with the consent of both husband and wife." (*Special session*, 1921.)

Women were admitted to membership in the "family meeting" which, in Louisiana, passes by law upon matters pertaining to the family. (*Special session*, 1921.)

In Maine

Women were given the right to jury service. (*Regular session*, 1921.)

In Maryland

Women were given the right to hold various public offices previously confined to men. (*Regular session*, 1922.)

In Massachusetts

Mothers were given equal right with fathers in appointing a guardian for their children by will. (*Regular session*, 1922.)

In Mississippi

Mothers were given equal right with fathers to the care and custody of their children and to the services and earnings of their children. (*Regular session*, 1922.)

In New York

Mothers were given equal right with fathers to custody of a child when the parents are living apart without divorce. (*Regular session*, 1923.)

Girls were given the same protection as boys with respect to capacity to make wills of personal estate. (*Regular session*, 1923.)

Mothers were given equal right with fathers to inherit real estate from their deceased child. (*Regular session*, 1923.)

Women were given the right to inherit equally with men relatives in equal degree of kin in cases not otherwise provided for by statute. (*Regular session*, 1923.)

In Ohio

Mothers were made joint guardians with fathers of minor children and given equal right to the children's services and earnings. (*Regular session*, 1923.)

Married women were given the same right to choice of a voting residence that married men have. (*Regular session*, 1923.)

Mother's consent as well as father's consent to marriage of minor child made necessary. (*Regular session*, 1923.)

Women as well as men were made of age at 21. (*Regular session*, 1923.)

In Pennsylvania

Married women were given the right to choose their own domicile for purpose of voting or holding office. (*Regular session*, 1923.)

Married women were given the right to divorce on grounds more nearly equal to those of husbands. (*Regular session*, 1923.)

Wives were given the same right as husbands to acquire settlement for poor relief. (*Regular session*, 1923.)

In South Carolina

Mothers were made joint guardians with fathers of minor children. (*Regular session*, 1923.)

In Virginia

Women were given the right after marriage to choose their own residence for voting purposes. (*Regular session*, 1922.)

Women were given equal inheritance rights with men. (*Regular session*, 1922.)

Women were given in certain instances a claim upon the estate of a deceased husband equal to the claim of a husband upon that of his deceased wife. (*Regular session*, 1922.)

Women were given the same right as men with regard to administration of estates. (*Regular session*, 1922.)

In Wisconsin

Women were given practically all rights under the law possessed by men, except with regard to industrial laws. (*Regular session*, 1921.)

Equal Rights Amendment Introduced In Congress

At the opening of the present session of Congress the Woman's Party introduced an Equal Rights amendment to the National Constitution, through Senator Curtis and Representative Anthony. The proposed amendment reads: ***"Men and women shall have Equal Rights throughout the United States and every place subject to its jurisdiction."*** The Woman's Party is putting all of its strength back of the passage of this amendment.

International Parliament of Women Undertaken

Since the discriminations against women are world-wide, it is felt by the Woman's Party that the effort to end them should be world-wide. For this reason the Woman's Party is calling an International Parliament of Women to meet in Washington to deliberate upon problems of common interest to women and to aid the movement to end the present world-wide subjection of women.

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Equal control of their earnings
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Equal inheritance rights
Equal control of national, state and local government
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Equal opportunities in government service
Equal opportunities in professions and industries
Equal pay for equal work
Equal rights after marriage to their own identity
Equal moral standard
In Short—*Equal rights with men in all laws and customs*

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of the

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to be held in the

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APRIL 14 *to* 19, *inclusive*
1910

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Legal Adviser.....Catharine Waugh McCulloch
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Literature.....Alice Stone Blackwell
Railroad Rates.....Lucy E. Anthony
National Com. on Local Arrangements.....Lucy E. Anthony

SPECIAL COMMITTEES

Industrial Problems (Affecting Women and Children).....Florence Kelley
Legislation for Civil Rights.....Mary Bartelme
Church Work.....Mary E. Craigie
Peace and Arbitration.....Lucia Ames Mead
Libraries.....Ida Porter Boyer
Education.....Pauline Steinem
Convention Resolutions.....Frances Squire Potter
Resolutions.....Frances Squire Potter
National Organizers.....Laura Gregg, Mary N. Chase, Perle Penfield
National Lecturer.....Barton Y. Aylesworth

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President.....Mary Bentley Thomas, Ednor, Md.

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Women Workers' League of Buffalo

Equality League of Self-Supporting Women, New York

President.....Harriot Stanton Blatch

Hornell Women Workers' League

GENERAL INFORMATION

RAILROAD certificates must be handed to the Railroad Secretary, Lucy E. Anthony, to be signed by her and vised by the Joint Agent, APRIL 16 (Saturday), for which service a fee of 25 cents will be charged.

Chairmen of Local Committees:

Hall and Platform, Helen Rand Tindall, 1315 Clifton Street N. W.
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Memberships, Anna C. Kelton, 1841 R Street N. W.

The local woman suffrage associations will be glad to welcome to membership any person who is interested in the subject. The District of Columbia Woman Suffrage Association meets the 2d Thursday of every month at 8 P. M., Mrs. Helen R. Tindall, 1315 Clifton Street N. W., President; The Elizabeth Cady Stanton Club meets the 3d Thursday of every month at 8 P. M., Mrs. A. P. Converse, The Plaza, Washington Circle, President; The Political Study Club meets the 3d Friday of the month at 3 P. M., Mrs. Frances M. Gregory, 2510 M Street, President. The dues for the D. C. W. S. A. are $1.00 a year, and the other two associations 50 cents a year. The Equal Suffrage Association of the District of Columbia, of which Miss Harriette J. Hifton is President, is a delegate body, corresponding to a State Association.

THURSDAY, April 14th.

Morning, 10 o'clock.

EXECUTIVE COMMITTEE MEETING.

Recommendations from the General Officers.
Roll-Call of States for New Business.

Afternoon, 2.30 o'clock.

Convention called to order by the President.
Welcome from the District of Columbia—

MISS HIFTON, Pres. D. C. State E. S. A.

MISS FOSTER, Pres. D. C. Branch College Equal Suffrage League.

Response on behalf of N. A. W. S. A.—

CLARA B. ARTHUR, Pres. Mich. W. S. A.

KATE M. GORDON, Pres. La. W. S. A.

Report of the Auditors.....LAURA CLAY
Report of the Treasurer.....HARRIET TAYLOR UPTON
Report of Committee on Petition to Congress....RACHEL FOSTER AVERY
Report of Headquarters' Secretary.....MARY GRAY PECK
Reports of State Presidents—

California.....ELIZABETH LOWE WATSON
Iowa.....JULIA CLARK HALLAM
Connecticut.....ELIZABETH D. BACON
Louisiana.....KATE M. GORDON
Illinois.....ELLA SEASS STEWART
Colorado.....HARRIET G. R. WRIGHT
Texas.....

Report of Affiliated Societies—

Women Workers' League, Buffalo.

Hornell Women Workers' League.

Evening, 8 o'clock.

RACHEL FOSTER AVERY, First Vice-President, Presiding.

Prayer—REV. ULYSSES G. B. PIERCE.

Greeting to the Convention—THE PRESIDENT OF THE UNITED STATES.

Address—"The Making of a Democracy," FRANCES SQUIRE POTTER, Corresponding Secretary N. A. W. S. A.

Address—"Why Women should have the Suffrage," HON. ROBERT L. OWEN, of Oklahoma.

The Annual Address—ANNA HOWARD SHAW, President National American Woman Suffrage Association.

FRIDAY, April 15th.

Morning, 9.15.

Conference on Practical Methods of Work, conducted by—
MARY HUTCHESON PAGE, Mass.
Speakers.....MARY WARE DENNETT, Mass., and others.
Convention called to order at 10.15.
Reports from States in which campaigns are pending—
South Dakota ..... MRS. JULIUS H. JOHNSON, President.
Oregon.....ABIGAIL SCOTT DUNIWAY, President.
Washington ..... EMMA SMITH DEVOE, President.
Oklahoma ..... KATE H. BIGGERS, President.
Report of Corresponding Secretary, FRANCES SQUIRE POTTER.
Report of Committee on Church Work, MARY E. CRAIGIE, Chairman.
Report of Friends' Equal Rights Ass'n, MARY BENTLEY THOMAS, Pres.
Report of Equal Franchise Society, ALICE DUER MILLER.

IN MEMORY OF HENRY B. BLACKWELL
WILLIAM LLOYD GARRISON, JR.
} Speakers: See next page.

Reports of State Presidents—
District of Columbia.....HARRIETTE J. HIFTON
Missouri.....ALICE C. MULKEY
Nebraska.....DR. INEZ G. PHILBRICK
New Hampshire .....MARY N. CHASE
Minnesota .....MAUD C. STOCKWELL

Afternoon, 2.30 o'clock.

Reports of State Presidents—
Maine .....FANNIE J. FERNALD
New York .....ELLA HAWLEY CROSSETT
New Jersey.....CLARA LADDEY
Ohio.....PAULINE STEINEM
Rhode Island.....ELIZABETH U. YATES
Wisconsin .....REV. OLYMPIA BROWN
Kentucky.....LAURA CLAY
Maryland .....EMMA MADDOX FUNCK
Massachusetts ..... MARY HUTCHESON PAGE, Delegate
Virginia.....LILA MEADE VALENTINE
Symposium, Open Air Meetings, HARRIET STANTON BLATCH, Presiding.
Speakers: H. LAREINE BAKER, Washington.
INEZ MILHOLLAND, New York.
MRS. STANLEY MCCORMICK, Massachusetts.
RAY COSTELLO, ENGLAND.
SUSAN W. FITZGERALD, Massachusetts.

Evening, 8 o'clock.

KATE M. GORDON, Presiding.
Prayer—REV. JOHN VAN SCHAICK, JR.

Address—"Republics versus Women," KATE TRIMBLE WOOLSEY.
Address—"The English Situation," ALICE PAUL.
Address—"Woman Suffrage from a Socialist's Point of View," META L. STERN.
Address—"Caught in a Snare," CARRIE CHAPMAN CATT.

FRIDAY, April 15th.

IN MEMORY OF HENRY B. BLACKWELL.

"The interests of the sexes are inseparably connected, and in the elevation of one lies the salvation of the other. Therefore, I claim a part in this last and grandest movement of the ages; for whatever concerns woman concerns the race." (Henry B. Blackwell, at National Woman's Rights Convention, Cleveland, Ohio, 1853.)

Speakers: { MRS. HENRY VILLARD.
CATHARINE WAUGH MCCULLOCH.
JANE CAMPBELL.

IN MEMORY OF WM. LLOYD GARRISON, JR.

"I put political rights before educational. Universities have no difficulty in rearing despots, and the wicked laws of all nations are the handiwork of men taught in the schools. Let ignorance blunder and bad laws result. Under impartial self-government the blunderers reap the punishment and learn wisdom and self-restraint. No college compares with this primary school of civilization in educating a people. Learning never yet guaranteed rights; rights universally secured are the sure guarantee of learning."—Wm. Lloyd Garrison.

Speaker: ANNA HOWARD SHAW.

SATURDAY, April 16th.

Morning.

IMPORTANT NOTICE.

College Equal Suffrage League.

The business sessions of the College Equal Suffrage League will be held at the Arlington Hotel from 10 to 12.30 on the morning of April 16th. Luncheon will be served for the delegates at 1 o'clock. From 3.30 to 5 P. M. there will be another business session at the Arlington Hotel. President M. Carey Thomas will preside at these sessions.

Convention called to order at 10.15.

Report of Committee on Credentials.....HARRIET TAYLOR UPTON.

Reports of State Presidents—

Vermont.....JULIA A. PIERCE
West Virginia.....MAY B. HORNBROOK
Utah.....EMILY S. RICHARDS
Tennessee.....MRS. J. D. ALLEN
Pennsylvania.....LIDA STOKES ADAMS
Delaware.....MARTHA S. CRANSTON
Georgia.....MARY L. MCLENDON

Reports of Committees—

Enrollment.....DR MARY D. HUSSEY
Literature.....ALICE STONE BLACKWELL
Bibliography.....IDA PORTER BOYER
Education.....PAULINE STEINEM
Resolutions.....FRANCES SQUIRE POTTER

Afternoon, 2.30 o'clock.

Reports of State Presidents—

Mississippi.....NELLIE N. SOMERVILLE
Michigan.....CLARA B. ARTHUR
Indiana.....ANNA DUNN NOLAND

Report of College Equal Suffrage League (National)....CAROLINE LEXOW

Reports of Committees—

Peace and Arbitration.....LUCIA AMES MEAD
Press and "Progress".....ELIZABETH J. HAUSER, Ass't Chairman

New Business.

Evening, 8 o'clock.

Address—MR. HENRY WILBUR, of the Friends Equal Rights Association.

Address—"The Sisterhood of Women," ALICE DUER MILLER of the Equal Franchise Society.

Address—"Democracy and Women," MAX EASTMAN, of the Men's League for Woman Suffrage, New York City.

Address—"The Call of the New Age to College Women," HARRIET E. GRIMM.

Address—"The Real Reason Why Women can not Vote," "DOROTHY DIX."

Address—"Education and Social Progress," JULIET STUART POINTS, of the College Equal Suffrage League.

SUNDAY, April 17th.

Afternoon, 3 o'clock.

Prayer.

Address—"An Element of Character," LAURA CLAY

Address—BEATRICE FORBES-ROBERTSON

Address—ELLA SEASS STEWART

Address—"What Women Want," CHARLOTTE PERKINS GILMAN

Evening, 8 o'clock.

Informal Reception for delegates and visitors to the Convention, in the Parlors of the Hotel Arlington.

MONDAY, April 18th.

Morning, 10.15 o'clock.

Election of Officers.

Political Settlements ..... { NETTIE A. PODELL / BERTHA RYSHPAN

Unfinished Business.

Afternoon, 2.30 o'clock.

INDUSTRIAL PROGRAM.

Woman and the Machine.

(A) Conditions Affecting Women—
As Workers,
As Wives and Mothers of Workers.....ROSE SCHNEIDERMAN

(B) The Consequences of these Conditions to Motherhood and to Womanhood as Demonstrated in the White Slave Traffic..... } MRS. RAYMOND ROBINS

"Laissez-Faire versus Faire Marcher".....FLORENCE KELLEY

Self-Defence or the Demand for Political Action....CHARLES EDWARD RUSSELL

Evening, 8 o'clock.

Prayer—REV. SAMUEL H. WOODROW.

The Worker, the Law and the Courts .....RAYMOND ROBINS

Scientific Propaganda in Practical Politics:

(A) Literature.....MYRA STRAWN HARTSHORNE

(B) Organization:

Plans for Activity—

(a) In behalf of Changes of Law and Administration that will benefit Women and Children in Particular and Society in General } GRACE STRACHAN

(b) In behalf of Woman Suffrage...ANNA GARLIN SPENCER

Closing Remarks by the President.

TUESDAY, April 19th.

THE CONGRESSIONAL HEARINGS on behalf of an Amendment to the National Constitution which shall give VOTES TO WOMEN

at 10 o'clock precisely.

For the Senate:

Hearing before the Woman's Suffrage Committee in Room 414 of the new Senate Office Building.

Rev. Anna Howard Shaw will conduct this Hearing and present the speakers. The addresses will make their appeal on behalf of educational and professional lines of women's work.

For the House of Representatives:

Hearing before the Committee of the Judiciary, in the Hearing Room of the new House Office Building.

Florence Kelley, Second Vice-President, will conduct this Hearing which will present the Industrial demand for the enfranchisement of women.

Important Note:

All former Congressional Hearings have had to be in smaller rooms and it has never been possible to have even all the delegates, let alone the alternates and visitors, accommodated. This year there will be places for all and no cards of admission will be necessary.

Afternoon, 2.30 o'clock.

Final Executive Committee Meeting, Auditorium of the Arlington Hotel.

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REFERENCES: The State of Washington Delegation in Congress; Any Seattle Bank; Seattle Chamber of Commerce; Seattle Commercial Club

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EQUAL RIGHTS AMENDMENT TO THE CONSTITUTION

HEARING

BEFORE THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

SIXTY-EIGHTH CONGRESS

SECOND SESSION

ON

H. J. Res. 75

FEBRUARY 4 AND 5, 1925

Serial 50

Daphne A. Woods

WASHINGTON
GOVERNMENT PRINTING OFFICE
1925

32174

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CONTENTS

Page

Statements of—

Miss Maud Younger, congressional chairman National Woman's Party, San Francisco, Calif 1
Miss Mabel Vernon, executive secretary National Woman's Party 2
Mrs. Nelson Whittemore, secretary Michigan Branch National Woman's Party, Detroit, Mich 8
Mrs. Burnita Shelton Matthews, chairman Legal Research Department, National Woman's Party, Hazelhurst, Miss 12
Mrs. Mary Murray, president of the Women's League of the Rapid Transit Co 33
Miss Maud Younger (resumed) 41
Mrs. John Dickinson Sherman, president of the General Federation of Women's Clubs, and chairman of the Women's Joint Congressional Committee, Denver, Colo 42
Miss Katherine Ludington, treasurer of the National League of Women Voters, Lyme, Conn 42
Miss Mary Anderson, Director of the Women's Bureau, Department of Labor 55
Miss Anna Neary, American Federation of Labor, Baltimore, Md 60
Miss Ethel M. Smith, national secretary of the National Women's Trade Union League 64
Miss Mary Koken, Industrial Department of the Young Women's Christian Association, Allentown, Pa 69
Mrs. Florence Kelley, general secretary of the National Consumers' League, New York City, N. Y 71
Miss Agnes C. Regan, executive secretary of the National Council of Catholic Women, 1312 Massachusetts Avenue NW., Washington, D. C 72
Mrs. Alexander Wolf, vice president of the National Council of Jewish Women, Washington, D. C 73
Miss Lida Hafford, director of the General Federation of Women's Clubs, 1734 N Street NW., Washington, D. C 74
Miss Elizabeth Eastman, president of the National Board of the Young Women's Christian Association, 2266 Cathedral Avenue, Washington, D. C 75
Miss Lita Bane, executive secretary of the American Home Economics Association, 617 Mills Building, Washington, D. C 76
Mrs. Glen L. Swiggert, National Council of Women, No. 42, The Mendota, Washington, D. C 76
Miss Katherine Ludington (resumed) 78
Mrs. Myrtle McAboy, of the International Brotherhood of Bookbinders, American Federation of Labor Building, Washington, D. C 79
Statement in opposition to "equal rights" amendment filed by Mr. Thomas F. Cadwalader, chairman executive committee, Sentinels of the Republic 81
Mrs. Frank C. Scanlan, president of the Massachusetts Congressional Trade and Civic League, Hotel Buckminster, Boston, Mass 83
Mrs. Helena Hill Weed, Norwalk, Conn 86
Statement filed by Mrs. Edward B. Cameron, president of the Women's Constitutional League of Virginia, Newport News, Va 89
Mr. J. H. Adriaans, Washington D. C 90

661395

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HOUSE OF REPRESENTATIVES

SIXTY-EIGHTH CONGRESS, SECOND SESSION

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EQUAL RIGHTS AMENDMENT TO THE CONSTITUTION

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Wednesday, February 4, 1925.

The committee met at 10 o'clock a. m., Hon. George S. Graham (chairman) presiding.

The CHAIRMAN. I would like to say to the members of the committee that Mr. Boies is compelled to be absent this morning, because he is serving on a committee for the investigation of certain frauds in relation to the ex-soldiers. That committee was in session continuously yesterday and is in session to-day. Mr. Boies came here and stated that he had to attend a meeting of that committee, and he wanted his reasons for not being present here stated.

We are met this morning for the purpose of holding a hearing upon House Joint Resolution 75, proposing an amendment to the Constitution of the United States, which reads as follows:

ART. 20. Men and women shall have equal rights throughout the United States and in every place subject to its jurisdiction. Congress shall have power to enforce this article by appropriate legislation.

Who is in charge of the proponents of this measure?

STATEMENT OF MISS MAUD YOUNGER, SAN FRANCISCO, CALIF., CONGRESSIONAL CHAIRMAN, NATIONAL WOMAN'S PARTY

Miss YOUNGER. Mr. Chairman and members of the Committee on the Judiciary, in coming before you to-day, in this first hearing ever held in behalf of the equal rights amendment before Congress,

we recall that it was 60 years ago that Congress was first asked to act on this measure, when the fourteenth amendment was under consideration. Then the Equal Rights Society, led by Susan B. Anthony and others, memorialized Congress requesting that they remove all discriminations in regard to sex as well as race. As you know, the discriminations in regard to race were removed, but it rests with the men of this day and generation to do justice to the women of this country.

For three-quarters of a century women have been trying through State action to remove these discriminations. In the past few years, the National Woman's Party has been especially active before State legislatures with specific bills to meet the various discriminations, as well as with a general bill to cover all of them. Although many of the old disabilities have been removed, many of them yet remain and new ones are constantly springing up. Therefore, in order to remove those that exist to-day and to prevent new ones from being made in future, the National Woman's Party has drawn up the amendment which reads, "Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction."

FEBRUARY 9, 1925.

The membership of the National Woman's Party paid up to date is 10,516. There are in addition about 10,000 members owing dues from January 1. This makes in round numbers about 20,000.

MAUD YOUNGER,
Congressional Chairman National Woman's Party.

This amendment is, in effect, a mandate to the States to equalize their laws. It does not impair the power of the States to make laws or to adopt such standards of equality as they may desire, so long as the principle of equality is substituted for the old common law attitude toward women.

I would like to go on record to-day for the National Woman's Party as being the first and only national woman's organization sponsoring this amendment as many have forgotten that for nearly two years this was the only national organization working solely for the Susan B. Anthony suffrage amendment.

I will now introduce a speaker whose work was a valuable contribution to that amendment, Miss Mabel Vernon, of Delaware, executive secretary, National Woman's Party.

STATEMENT OF MISS MABEL VERNON, EXECUTIVE SECRETARY, NATIONAL WOMAN'S PARTY

Miss VERNON. Mr. Chairman and members of the Judiciary committee, I think that you must realize, as we realize, that as we were working for the national suffrage amendment, of which Miss Younger has spoken, it was borne very emphatically in upon us that we were not thereby going to gain full equality for the women of this country, but that we were merely taking one step, but a very important step, it seemed to us, toward the gaining of this equality. Now, you undoubtedly keep in touch, or have kept in touch, with the history of this woman movement, because it is one of the most important movements in the world, and because it has made such a

very notable advance even in our own time, so that you will know that in 1848, when the first woman's rights convention was held in this country, suffrage was simply one of the demands which were made by the women of that time. You will recall that in their bill of rights and in their declaration of sentiments, as they called it, they set forth at the same time a demand that women should have full equality under the laws and under the customs of this country. Then, for various reasons, their fight became centered on this goal of gaining suffrage.

Now, then, in 1920, when this amendment, or what we call the Susan B. Anthony national equal suffrage amendment, was added to the Constitution of the United States, we knew that there were still other things to be done before that work which was begun by the women of our country in 1848 could be in any way completed. Therefore, the Woman's Party determined that until this one object, for which we had been organized and for which we had been working, had been gained, we would stay banded together. We determined to remain banded together until all other discriminations against women had also been removed. We determined then that the first thing for us to do was to concentrate upon the inequalities which existed in the laws of this country.

You have undoubtedly a good bit of knowledge concerning the position of women under the laws of every State of the United States. We determined in 1921 that we must have complete knowledge on this subject before we would dare appear before such a committee as yours, for instance. We determined that we must have just as accurate and profound information concerning the legal status of women as we could gain from a study of the laws. Therefore, we formed what we call a legal research department, and from 1921 until the present time this legal research department, composed of women of the law, has been working hard in your own Congressional Library and in the Supreme Court library gathering together the laws affecting women in all of the States of this country.

You will see this table that we have here before us; you will see on this table, alongside of us, that we have piled up some of the evidence of our research, but not all of it by any means. You will find here some evidence of the work that has been done in this regard. It is not complete. The legal research department has been examining, not only all of the laws relative to women in all of the States, but it has also been reading court decisions, because we realize that it is not only the law itself that is important to us, but that it is also the interpretation of the law. We wanted to see how those laws concernings women were being interpreted by the courts of our country. If I may show you one instance, this [indicating] is a digest of the laws of the State of Pennsylvania as they affect the women in that State. By examining this, I think you will probably have a better idea of the tremendous amount of work that has been done. The work is not completed, even now. This sort of work must go on continually, in order that we may keep in touch with the laws as they are changed. Of course, every legislature in dealing with its laws, frequently makes some changes in them, and in order that we may keep informed concerning court decisions which are being made right now, every year, and every day, we must continue

with this work. Now, this is one of the results that has come out of this work. We are impressed with this fact, that these inequalities in the laws of our own country are so grave and are so very serious that we feel called upon to ask immediate action in changing those laws so as to wipe out those inequalities. We insist that they be wiped out, so that women may stand on a true basis of equality, or, rather, on a basis of true equality with the men of our country.

Now, I suppose I can guess what is your immediate reaction to a statement like this. You would feel, as lawyers—and I suppose that many of you are lawyers——

The CHAIRMAN (interposing). Unfortunately, all of us are.

Miss VERNON. All of you are lawyers, and you will feel immediately that these inequalities to which I have referred, and which are dealt with in this digest we have here, are, as to some of them, on the side of women. You would think that they favored the women and that they give them an advantage which is needed. We feel very gravely about things of that kind, because after all those things which are said to be privileges and which are said to be on the side of women are things which do not work out that way in the end. Almost always we will find that where those inequalities exist they are rather to the disadvantage than to the advantage of women. But, even if we could be persuaded that those things, or those so-called privileges, are things which are to the advantage of women, we would still say, "Do not let us have those conditions existing in our laws." We women are not seeking privileges; we are not seeking things which we think would give us a superior chance or a greater advantage—not at all—but we do truly and sincerely believe that the only way by which advance is going to be made in this country is to have equality existing between the men and women citizens of the country. The only way by which we can have advance is to have true justice existing so far as the citizens of the country are concerned with no idea of granting privilege on account of sex. We should proceed with the idea that there shall be no advantage shown to either side, either to men or women, but that there shall be justice.

Now, this consideration would undoubtedly immediately come to your minds—that is, since these things about which we complain are inequalities that exist in the laws of the various States, why do we not go to the legislatures of those States and see that those inequalities are dealt with by the legislature of each State? Why do we come to you Members of the Congress of the United States? In the first place, we have gone, ever since we began to get first-hand knowledge on this subject, to the legislatures of the States as they have met. This very year, for instance, when so many legislatures are in session, or when 40 State legislatures are in session, or will be in session before the end of the year, we have gone to the State legislatures, and we are going right now to the State bodies. We are presenting to them bills which would change those laws we know exist concerning women. We are trying to bring about laws in those States that will do equal justice as between men and women. That work has been going on for the last three years, or for almost four years. We believe this, and, indeed, we know this from the experience we have already had, that if we are to continue in this way,

by simply appealing to the States and never appealing to our national body, it will be a matter of many years—I do not dare say how many, and I do not think that any one would dare say how many years it would be; but if we go on at the rate we have been going during these past few years in bringing about those changes, they will be brought about so slowly and the cost will be so much that we can just make up our minds to this, that we women who are living now, and who do care so much about seeing this advance made in the position of women, will certainly have spent our lives without realizing it.

There is very little hope that under those conditions we will be able to complete it during our lifetime. We will not be able during our lifetime to change the inequalities that exist in the laws of this country so far as women are concerned. We feel this, that at the present stage of the advancement of women, and in a country like our own, where the attitude toward women is in so many respects so fine and so generous, we should not be obliged to wait so long upon a piece of work that seems to us is so obviously unfair. Here we can hold up laws, concrete laws, which everyone, which even he who runs may read, can see are unjust to women. We believe that this is such an obvious thing, and a thing that can be so quickly done, that we should not devote so much of the splendid energies of women for so many years of the lives of women to its accomplishment.

There are a great many other things to be done, and we would like to see this sort of thing very quickly disposed of, so that we may go on to other things which are certainly of great importance and which are waiting to be done.

Now, we learned this through our suffrage experience, and, of course, there are many other ways in which the same lesson might have been impressed upon us; but we certainly know this from our suffrage experience that national action is more speedy in its effects than going to the States always. You must remember very well, because I believe that some members of the Judiciary Committee to-day were members of the committee when we were working on the suffrage question—you remember very well, at any rate, how the work on suffrage went on for year after year. It went on in the various States year after year, and it was not until the year 1913, I should say, that there was a real determined effort to win action in the Congress of the United States. Therefore, you might say that from 1848 to 1913 work had been going on in the various States to obtain suffrage for women in that way. Then, in 1913, this very active national effort began to win action by the Congress of the United States in regard to suffrage. In 1920 the national suffrage amendment became a part of the Constitution of the United States. Now, we believe this, that by coming to you now, we are standing in the position of securing more speedy action in wiping out the legal inequalities regarding women.

We know this, also, that there are plenty of examples before us to show that our position in this regard is right, and that we can not hope to obtain changes in the State legislatures which we can bank upon as being absolutely permanent. We know this because the thing has already occurred. We know that something that is

obtained at this session of the legislature will be very likely changed. We know that the entire principle will be changed or altered by the next session of the legislature. Therefore, if we should work only with the State legislatures in our endeavor to wipe out these inequalities, we would always be in this position, that we would not know that we would absolutely hold what we had gained. We would always be in a position of uncertainty or fear that the equality which we obtained to-day might be lost to-morrow, because of the adverse attitude of the same legislature. We know this, also, that the Constitution of the United States makes a law just as permanent as human law can be made, and we would like to see these inequalities permanently removed. We would like to see equality permanently established in this country. We have a feeling here, if you will allow the use of the word before the Judiciary Committee—we have this very solemn feeling here to-day, that we want to see that principle of equality as between men and women embodied in the Constitution of this country, so that we may know that it is in the very fundamental law of our land. We think that it is befitting the dignity of the movement, or, rather, the cause for which we are working that this should not be simply a transient thing, for this legislature or that legislature to deal with it as it may deem proper, but we feel that it should be incorporated into the very basic law of the land and recognized as the great principle on which this country is founded—that is, the principle that men and women citizens shall have equal rights under the laws of this land.

That is the reason why we have come to the Congress of the United States, and that is the reason why we have brought in this equal rights amendment which has been quoted to you, and which is now in charge of this committee. We do that because we want this thing quickly done. It seems to us that it deserves speed. We do that also because we want it permanently done. It is within your power in that way to help us.

I want to say just one word more in conclusion: I do not know what your attitude is toward the equality of women under the laws of this country, but I do believe that every one of you must recognize that the advance of woman is inevitable. Everyone of us has seen within our own generation, just within the short space of time that we have been living, a remarkable change that has taken place in the position of women, not only here in our own country but, indeed, all over the world. It is, indeed, a world-wide movement. Now, please do not think that we are in any way peculiar in standing for what we call equal rights. Miss Younger has said quite truly that we are the only national organization of women in this country which is sponsoring this particular amendment that is in your keeping; but we are just breathing to you, or just giving you something that seems to come out of the very air that we breathe. It makes no difference where you go in this world to-day, you will find that the idea that we are presenting to you to-day, equal rights for men and women, is being advanced.

Indeed, when we began work on this present phase of the equal rights movement in 1921 we found that already in seven constitutions in Europe the very principle for which we are now contending

had already been incorporated. Those principles had already been incorporated in seven European constitutions, recognizing the equality of men and women. In every one of those seven European constitutions that principle already exists, breathing that new spirit. They are constitutions that have come into existence or that have been formed in most part since the Great War, or since 1918. Therefore we are really getting before you something that is already in evidence all over the world. I think you must recognize this, that no matter what happens to-day or what happens to-morrow this thing that we are working for is absolutely certain to come to all of us somehow. It is altogether inevitable. Now this is what we can do: We can go back into the history of the advance of women and as we trace every step we find this, that every time women have asked to do something a little different or have asked to go on into paths which they had not theretofore entered there have been objections. We must expect that; it is not at all marvelous or unnatural that that should be the case.

Now, when we are standing to-day for an even greater advance, we find those objections made, and we find things being said in regard to this movement that are just a repetition of that same old story. For instance, when women asked for the right of education, and even for primary education, it was said that if women were educated that the homes would be ruined; that little children would be neglected; and that women would no longer be good wives and mothers. Of course, it is almost unbelievable now that such things were ever said, but it is true. Again, when women went on and asked that they might be permitted to enter the professions the same old objections reared up their heads. All of you know that when the women were asking for suffrage the same old objections that had been advanced against the education of women and the same objections that had been advanced against the entrance of women into the professions were again raised to show what terrible things would come to pass if that additional recognition were given to women. Now, all of those things have come to pass, and it was absolutely inevitable that they should come to pass. Now, we are here on the threshold of another step or another advance for women—that is, for the recognition of the equality of women with men under the laws of our country, and again the same old objections are made.

You will hear them to-day and you will hear them to-morrow, and I do not know how long. The same old objections are being raised to show that this is inadvisable and undesirable. All that we can say to you is that it is a repetition; it is a repetition of history in regard to the advance of women, and just as those arguments were swept away in regard to education, and shown to be altogether futile and absurd, so will these objections be swept away. Then, when the suffrage movement was under way, how repeatedly we saw all of those arguments that had been disdained long before being advanced again. Therefore, we know that every argument that is now being advanced against the equal rights amendment will be swept away. We know that that argument is bound to be laughed out of court, and that at some time this thing must come to pass.

There is one thing that we feel absolutely certain of, and we believe that each member of this committee, in his own inner consciousness,

at any rate, must feel absolutely certain of it, and that is that this principle that we are standing for and that we are presenting to you, namely, the equality of men and women in the United States, and, indeed, the recognition of that equality in the Constitution of the United States, is absolutely bound to come to pass.

I thank you.

Miss YOUNGER. Our next speaker, Mr. Chairman, is Mrs. Nelson Whittemore, of Detroit, Mich. She will deal especially with the laws as they affect mothers. Mrs. Whittemore is the secretary of the Michigan branch of the National Woman's Party.

STATEMENT OF MRS. NELSON WHITTEMORE, OF DETROIT, MICH., SECRETARY OF THE MICHIGAN BRANCH OF THE NATIONAL WOMAN'S PARTY

Mrs. WHITTEMORE. Mr. Chairman and members of the Judiciary Committee, I have come here from Detroit, Mich., for a couple of days to attend another hearing. Truly, gentlemen, most of us felt that when we achieved the right to vote we probably would not have to appear before many more committees in hearings, but that we could go about our business, serving our families and serving our States and communities. We felt that we would not have to seek further for more fields to conquer; but in my own State, particularly, it was painfully soon apparent to all of us that there were many limitations still confronting us. There was in the small town of Redford, Mich., with which your Michigan Member, I am sure, is familiar, a fine woman, a Mrs. Patterson, who had reached middle age and who, having no special cares or duties, felt that she would like to serve that small town as justice of the peace. Her fellow citizens agreed with her and very proudly and joyfully elected her to that office.

When she appeared to attend to her duties as justice of the peace one of the very eminent attorneys of that town arose and said that in his judgment a woman could not hold office in the State of Michigan. You can imagine what a frightful blow that was to us, because that woman had been elected by her fellow townsmen to fill that office. Therefore we got together and squeezed a little money together out of our egg money, dress allowances, etc., and with that money we carried that case through the courts and finally to the Supreme Court. The Supreme Court said that, in their opinion, a woman could hold office in Michigan. So that point was settled after several years had gone by. Then we had also to settle the matter of jury service. The question of whether women in Michigan could serve on juries had to be determined, and we trailed that question through all of the courts until it was finally decided that women in Michigan could serve on juries. And so it went with other questions of law. It was certainly a great shock to us, and we were perfectly bewildered because we found that the legal status of women in Michigan was by no means settled or stabilized.

The women of Michigan did not know what they could do, or what they could not do. Therefore, we decided that we would try to get an able opinion on the question of the legal status of women in Michigan. I spent considerable time in Detroit, trailing around

to find some friends who would help us in that matter. Many of those gentlemen said that they were very busy; that they had a world of business to attend to, with this suit and that suit pending, and that they could not take the time to look these questions up for us. However, all of them assured us that they were very certain that the conditions in Michigan were ideal for women, and that surely there were no particular discriminations against them in any way. They claimed that Michigan was really a heavenly place for women to live in. Finally, I found one friend who had aided us in the past; he said that he was terribly busy, but that he would try to take six weeks time to look up the matter for us. Then, I very quaveringly asked him about how much it would cost us. He said that he would do the best he could for us, but that he did not see how he could do it for less than $1,500. And, indeed, he could not, because he would have to set aside all of his business. Now, you can imagine what that amount meant to us. We were simply staggered. Then, gentlemen, you can imagine what a tremendous relief we felt when we learned that our legal research department in Washington was compiling all of the statutes of the State of Michigan, and was printing the compilation in this little booklet entitled, "Michigan Laws Discriminating Against Women."

One of the first things we met up with there was the proposition that mothers have not equal rights with fathers over children. We said that that could not be so, because, after a great deal of work, we got through the 1921 Michigan Legislature an equal guardianship bill. Our legal friends said that that bill was passed by the Michigan Legislature, and that we had that law. So we sent back here to the research department, and said to them, "No, our women have an equal guardianship law in Michigan." Our department here sent back the word that we had an equal guardianship law, but that it did not cover the services or earnings of minor children; that we had some guardianship but not all guardianship. Then our friends said, "Perhaps that is so." They said, of course, that was a small matter, and that upon the whole we really had an equal guardianship law. Now, gentlemen, it is not such a small matter, because, aside from the earnings, we found that the law provided that in case of injury to a child suit could only be brought by the father, provided the family were living intact. That was because under the common law, under which my State operates, the father has the sole right to sue.

The CHAIRMAN. If the father is the head of the family, and the family is intact, what other law would you suggest?

Mrs. WHITTEMORE. Possibly the father does not wish to sue; possibly the father and mother, while they have not been actually divorced, are not living together. Perhaps the father is living in some other part of the country and does not wish to institute the suit.

The CHAIRMAN. Your statement was that the family was intact, and my question was directed to that statement.

Mrs. WHITTEMORE. It might be legally intact.

The CHAIRMAN. I beg your pardon for the interruption.

Mrs. WHITTEMORE. If that law does not cover injuries, does not cover the right to institute suit in case of injury, and does not cover the earnings of children, then, Mr. Chairman, in all fairness, it can not possibly be an equal guardianship law, and we have before

our State legislature a bill, which we are quite certain will pass, granting truly equal guardianship to men and women in the State of Michigan over their own children. The old English common law relating to guardianship still operates in many of the States, as, of course, you gentlemen know. It operates in New Jersey, Rhode Island, and Virginia. I found that the State of Virginia had a rather extraordinary history regarding the equal guardianship law. In 1916, an equal guardianship law was passed in that State, and it operated there for about three years, or more. In 1919, a revision of the laws of that State was ordered to be made by three gentlemen, who were to report to the following legislature. Then, the next legislature approved that revision of the laws, and the State of Virginia adopted it. However, in that revision, the equal guardianship provision was revised right out of the laws of Virginia, and that State is now back where it was before, without any equal guardianship law.

As Miss Vernon pointed out to you, that is the only reason why we are here. We can not possibly have equal guardianship of children one year and the next year not have equal guardianship of them. We must have the law stabilized so we may know what we can do. We want it made definite. Now, to give you another example, Florida, which is, probably, the most beautiful State in the Union, has an extraordinary law on her statute books. I find that Florida is the only State that has such a law, and I think that it would be almost too impertinent to think that any other State in the country would have such a law. Under this Florida law, in case a child is injured, the father can collect for the injury to the child, and he can also collect for the mental pain and anguish caused the mother by the death of the child. Now truly, that is a most extraordinary situation, in which the father can collect for the mother's mental pain and anguish, as well as for the accident to the child.

In the District of Columbia, over which, I believe, you gentlemen have exclusive jurisdiction, you have a very extraordinary situation. When that dreadful catastrophe occurred at the Knickerbocker Theater, when the roof fell in, it snuffed out the life of a young man 17 years of age. He was an athlete, in the pink of condition, and he was survived by his mother and father. The father was so unbalanced by the shock and grief that in three months' time he died. Then the mother and widow brought suit in the courts to collect damages for the death of her son, but the case was thrown out of court upon the ground that in the District of Columbia only the next of kin could institute the suit. The court held that as between the father and mother the father was the sole next of kin and the mother had no cause of action. I believe that took place in recent years in your beautiful District of Columbia.

Mr. FOSTER. Have you the name of that case?

Mrs. WHITTEMORE. Mrs. Matthews can give it to you.

Mrs. MATTHEWS. It is not a reported case, but it was decided by the Supreme Court of the District of Columbia.

Mr. FOSTER. What is the title of the case?

Mrs. MATTHEWS. I will give you the citation. Lyman *v.* Knickerbocker Theater, District of Columbia Supreme Court, at law, No. 67204.

Mr. PERLMAN. Is there a written opinion in that case?

Mrs. MATTHEWS. There is a written opinion by Justice Siddons. The "death by wrongful act" statute says that the action shall be for the benefit of the next of kin. Under the statute of distributions the father is the next of kin, and so the cause of action is in him.

Mr. MICHENER. Did the case go to the court of last resort?

Mrs. MATTHEWS. I do not think it has gone to the Court of Appeals.

Mrs. WHITTEMORE. We could go on citing cases, one after the other, showing the existence of glaring inequalities which you, of course, would want to correct as well as we. I think that men and women alike feel these ills that we seek to rectify. We find that a great deal of splendid legislation has gone before. We realize that some people are not in favor of our bill on that account, and they are continually dragging up the great difficulties that confront us. They are continually reminding us of what would happen in this case or in that case. Now, I believe that in 40 States we have operating so-called mothers' pensions laws, and they have proven to be of great benefit. They are probably a certain institution in our life for all time. These mothers' pensions are, in the opinion of many people, a misnomer, because they are really children's pensions. The pensions are issued to mothers in some States and in other States to the mother and the father, to care for the child so that it will not have to be put into an institution and kept away from home. Now, we do not see how it would be possible to jeopardize these pensions to children if we should have equal rights, because frequently fathers who are serving sentences in the penitentiary, or who are incapacitated through illness or accident, do receive pensions for their children.

Their children are benefited as much as the mother's children are. It is the children who are the beneficiaries, and in nowise the mothers. Then, we have that splendid piece of legislation which, I presume, you gentlemen helped to pass, known as the Sheppard-Towner Act. In my State of Michigan we have a legislative council of Michigan women, of which the National Woman's Party is a member, and that council unanimously indorsed the Sheppard-Towner bill. We were very much gratified when our Michigan Legislature took advantage of that law at the last session. Now, how that law could be in anywise impaired by this proposed equal rights legislation is more than we can understand, because that act provides for the dissemination of information regarding maternity and child hygiene. That bill does not provide a single bandage, but simply provides for the dissemination of information. When I was at Santa Barbara, the visiting nurses reported to me that this information was eagerly sought by young men, as well as by young women, and that it was of vital interest to men and women alike. Now, we can not see how the equal rights legislation would affect the Sheppard-Towner Act.

Therefore, as Miss Vernon has said, this is truly a case of setting up a bugaboo. It is raising up a bugaboo and saying what would happen if this legislation were enacted. We find that some States do have equal rights. In some States equal rights do exist in all these particulars. In those States conditions are adjusted and it

does not cause an upheaval. The women do not fly away from their homes, but they remain in their homes and the homes are intact. That is true because the home is the basis of our whole life.

Now, we urge you to give your very earnest consideration of this idea of equal rights. It does not seem that it should be called a new idea. Equality is the basis of our life and it seems as though it should be equality for men and for women.

I thank you.

Miss YOUNGER. Our next speaker is Mrs. Burnita Shelton Matthews, who is a member of the Mississippi bar, a member of the United States Supreme Court bar, and chairman of the legal research department of the National Woman's Party. It was under Mrs. Matthews's direction that all this legal research work has been done, and when she has finished her statement she will be able to answer any questions you have.

The CHAIRMAN. How many more speakers do you have?

Miss YOUNGER. Only one more after Mrs. Matthews, and that is Mrs. Murray, a working woman from New York.

STATEMENT OF MRS. BURNITA SHELTON MATTHEWS, OF HAZLEHURST, MISS., CHAIRMAN, LEGAL RESEARCH DEPARTMENT, NATIONAL WOMAN'S PARTY

Mrs. MATTHEWS. Mr. Chairman and members of the committee, we are always told by our brothers and fathers, by our husbands, and by most men lawyers that women are great favorites with the law. Blackstone, even in his day, thought that. He said that upon marriage the personal property of the woman became that of the husband; he pointed out how the father had entire control over the children, and how the wife's very existence was merged into that of the husband, and then said "so great a favorite is the female with the laws of England." And you gentlemen have been telling us that ever since. Now, that is the man's point of view.

Now I want to tell you to-day of some of the laws that discriminate against women in the various States, and you will have in that the woman's point of view.

In Maryland there exists the old British statute of 12 Charles II. Under that statute the father has the power to appoint a testamentary guardian for the child and thus deprive the mother of the custody of the child after his death. There is also in Georgia a statute which allows the father to appoint a guardian of a child who is entitled to the custody of the child after the father's death, except that the mother is permitted to retain the child until it is of school age. Mrs. Whittemore has spoken to you about discriminations against mothers, and so I am not going into details on this subject.

We are often told that the reason the father has the preference over the mother in parental rights is because he supports the child. Now, I am sure that all of you will agree that the mother's service to the child is worth just as much as the support of the father; moreover, the laws of many of the States make the mother liable for the child's support.

There is one question you asked Mrs. Whittemore that I would like to cover. You asked about the action in case the child is injured: that is, how the action would be brought in case the parents have equal rights. In the State of Nevada the parents do have equal rights. The statute there provides that the action shall be brought jointly. In Colorado they have equal rights, and the statute provides that the action shall be brought jointly. If one parent refuses to sue, the other may sue alone; or, if one parent has abandoned the child, the other may maintain the action.

The CHAIRMAN. How do you dispose of the proceeds where the action is brought jointly?

Mrs. MATTHEWS. Why, they are equally entitled to the proceeds.

Now, in the case of the legitimate child, you see that the superior rights are always conferred upon the father; but, when it comes to the illegitimate child, the existence of which is frowned upon by society, the laws of practically all of the States leave the father in the background, and place the brunt of the burden on the mother. There are some States, like Idaho, Virginia, and Texas, which have no laws whereby the father can be required to contribute toward the support of such a child, even though he acknowledges it as his.

In some of the States of this country, when a woman marries, the law just takes her under its wing, and she is not permitted to go into business unless she can get the consent of a court or her husband; but the most ignorant man can carry on a business without the consent of his wife or any court. Some of those States are Nevada, Texas, and Florida. You know just the other day Mrs. Ferguson, who is now serving as governor of Texas, found it necessary to bring a petition under this Texas law asking that her disabilities be removed in order that her contracts as governor might not be attacked. Of course, if we had a national equal rights amendment, that would not be necessary.

The CHAIRMAN. Mr. Sumners ought to know about that in Texas.

Mr. SUMNERS. I wonder if the court did remove the disability.

Mrs. MATTHEWS. The court did. I have a copy of the decree and the decree recites that "consent of her husband having been given," and so on. [Laughter.]

There is another point which is very bad in the Texas law; but, in that respect Texas is not alone. They have a double standard of morals in the divorce laws. If the wife is guilty of infidelity, one act, the husband may forthwith divorce her; on the other hand, if the husband is guilty of a single act of infidelity, the wife can not divorce him for that. He must abandon her and live in infidelity before she can divorce him for infidelity. Also, under the divorce laws of Maryland, if the woman misconducts herself before marriage and the husband finds it out afterwards, then he can divorce her; but, no matter how he may have conducted himself before marriage, that is not a ground for divorce.

Also, you will find in some of the States the woman, in the marriage relation, is not protected as much as the man is. For instance, in Maine, if any person interferes in the home life, alienates the affections of the wife or something of that kind, the husband has a remedy: on the other hand, if a person alienates the affection of the husband, and breaks up the home of the wife, why, she does have an

action, but it is only against a woman that she has an action. For instance, if the husband's father entices him away from her, why, she can not sue at all; she is not protected. It is just as it is under the common law. Also in Minnesota a similar situation exists.

Now, in all the States except probably the eight community-property States, the services of the wife belong to the husband. Therefore, in at least 40 States marriage is not a partnership between equals, where each partner owns his own labor. Nor is it a partnership where the partners jointly own the property acquired by their mutual efforts. The wife may spend the best years of her life laboring in the home or assisting the husband in his business; but if prosperity comes, all the property belongs to the husband.

Mr. FOSTER. What are the eight?

Mrs. MATTHEWS. California, New Mexico, Nevada, Washington, Arizona, Louisiana, Texas, and Idaho.

Mr. SUMNERS, Would you mind mentioning Texas first, please? [Laughter.]

The CHAIRMAN. What are those eight States—you say they are the exceptions?

Mrs. MATTHEWS. The community-property States. Under the community-property system all property acquired after marriage by the joint efforts of the husband and wife is community property, belongs to them jointly. The great trouble with that system is that they give to the husband the entire control of this community property. I will get to that just a little bit later.

In Georgia the earnings of the married woman still belong to her husband. There was one case there where the woman put her earnings with those of her husband and bought a little home. He took the deed in his name, and then he conveyed it away. In Georgia, the husband can convey away property without the consent of the wife. So he just conveyed away the home she helped to buy. She went into court and said, "I would either like to have the money I have put into this, or be decreed my part of the property." But the court held that the declaration did not state a cause of action, because if the wife's earnings belong to the husband, so did property purchased with the earnings. Therefore she had no action whatever. In one case where a married woman undertook to bargain with some sort of a company, and in this bargain her husband was to perform some kind of service, the court actually scrutinized the contract to see if any question of peonage might be involved. As a result of this rule that the husband owns the services of his wife, he has the right to recover damages for the loss of the wife's services when she is injured. This is the common-law rule. It obtains in a number of States, among them Illinois, Colorado, Delaware, Nebraska, Michigan, Mississippi, Missouri, New York, Tennessee, and many other States. You would be very much surprised to find out how much the wife's services are worth when the husband is suing for the loss of them. [Laughter.]

Also, the law discriminates against women in property rights. In the State of Florida, the husband has the right to manage and control even the wife's separate property, and I won't forget Texas. Texas does not permit the wife to dispose of her separate property

without the husband joins, although he can dispose of his without her joining. And in the State of Nevada——

Mr. MONTAGUE. Can you dispose of land without the wife joining in Texas?

Mrs. MATTHEWS. Yes, sir; the land belonging to the "community," except the homestead. In the State of Nevada, too, this community property, acquired even by the wife's earnings and the husband's earnings, may be disposed of by the husband. There was a Senator here not so many years ago who gave to a town in Nevada a $50,000 opera house and his wife did not sign the deed, although the deed covered community property belonging to both of them. She went into court and said, "I did not sign the deed and I insist on my rights in the community property." The court told her she had no rights that he could not deed away if he had a mind to. That was the case of Senator Nixon. Also in Michigan, the State that Mrs. Whittemore comes from—the property laws discriminate against women, and the women feel this very keenly, I will say, because when I was there I know many of them spoke to me about it. I will give you a case and that will explain it better; a woman bought some property with her own money and thought it would be kind of nice to the husband to take it in the name of both of them, and she found that what they had then was an estate by the entirety, which entitled the husband to all the rents and profits. In some way the wife got out of possession, and the husband would not let her come back, and he was entitled to all the rents and profits from the grape farm, and she had no remedy.

Mr. MICHENER. She might have filed a bill in equity and the court would see that the money was distributed, in Michigan, according to the equities of the case. Did she do that?

Mrs. MATTHEWS. Yes; she did apply to the court. Do you want the citation?

Mr. MICHENER. Yes.

Mrs. MATTHEWS. Morrill *v.* Morrill, 138 Michigan, 112.

Mr. MICHENER. It was taken into equity?

Mrs. MATTHEWS. I say that she went into court; I do not know whether it was an equitable action or an action at law.

Mr. MICHENER. I think not.

Mrs. MATTHEWS. That is not the only case on that point, but that is the only one I can give just this minute. It is definitely settled there that the husband has the rents and profits from an estate by the entirety.

Mr. MICHENER. There is not any doubt about that; at the same time the wife has a dower interest in the husband's property, and the husband does not have in the wife's property.

Mrs. MATTHEWS. Yes.

Mr. MICHENER. The wife can deal with her property in Michigan as if she were a femme sole.

Mrs. MATTHEWS. Yes; I admit that Michigan is one of the few States where that is true.

Mr. MICHENER. In other words, I may own real property in my own name, but I can do nothing with it unless my wife signs; on the other hand, my wife may own property in her own name and

she may do with it as she sees fit and I need not sign and have no dower and no curtesy. And if your equal rights bill became a law, then I would have the same right in my wife's property that my wife has in my property.

Mrs. MATTHEWS. I think it could be arranged that way in each State. In these few States——

Mr. MICHENER. Your bill, then, would take away from the women in Michigan a very important thing which they to-day have.

Mrs. MATTHEWS. It might take away from them in that respect, but it would give them many things which they do not now have and more than compensate them for this particular thing.

Mr. MICHENER. But that same condition is true in many other States, is it not?

Mrs. MATTHEWS. No; not in many other States.

Mr. FOSTER. It would give equal rights to the man in that particular respect.

Mrs. MATTHEWS. Yes, it would give equal rights to the man. We are perfectly willing that it should give equal rights to the man; we are not trying to get any advantage over men.

The CHAIRMAN. I think the men need equal rights, and then after awhile instead of mother's pensions we will have father's pensions.

Mrs. MATTHEWS. We do have father's pensions in Colorado.

The CHAIRMAN. Oh, that is so far away I did not know it. [Laughter.]

Mrs. MATTHEWS. Moreover, you might just as well call it father's pensions as mother's pensions, because the farther's children get a pension when he is in an insane asylum, imprisoned, disabled, or something of that kind.

Also, there are inheritance laws which discriminate against women. In some States, as for example Arkansas and West Virginia, if a child dies, and leaves no descendants, it is the father who inherits the entire estate to the exclusion of the mother. It does not matter what has been the attitude of the father and mother toward the child. She may have observed all of her duties and he none of his; nevertheless, if the child dies without a will and leaves no descendants, the father gets the property. I will also tell you that New Mexico and Nevada (community-property states) the husband can will his half of the community property to anybody he pleases; on the other hand, when the wife dies, it is a general rule that she can not will any of her half away from her husband—not even to her own children.

Mr. SUMNERS. Do you mean to apply that statement to Texas?

Mrs. MATTHEWS. No, sir. [Laughter.]

Mr. MONTAGUE. What States does it apply to? You said they had community property in Texas.

Mrs. MATTHEWS. I mentioned particularly the States of New Mexico and Nevada, which are community-property States. That was also true in California until 1923, when we adjusted that particular point in California, but not until we had tried for many years.

Then women are discriminated against in holding public office. For instance, in Iowa no woman can be a member of the legislature. We are trying to change that by a constitutional amendment, that

is, a State constitutional amendment. Also in the State of Wisconsin no woman can be employed in the legislature, and I want to tell you something that happened there. You know, we secured the passage of a law in Wisconsin saying that women shall have the same rights as men, and so on, but there was a protective clause put in this bill. It said that the bill should not be construed to deprive females of the special protection which they now enjoy for the general welfare. After we passed this equal rights law, we thought, of course, women could be employees of the legislature; that the equal rights law had superseded a statute limiting employment by the legislature to men. But the Attorney General held that the equal rights law was not to be construed to deprive females of the special protection they now enjoy for the general welfare, and it was for the protection of women to be excluded from these nice jobs as employees of the legislature, because very often the holders of such jobs had to work long hours.

Mr. FOSTER. That was Wisconsin?

Mrs. MATTHEWS. That was Wisconsin.

Mr. FOSTER. I wanted to be sure of that. [Laughter.]

Mrs. MATTHEWS. Now, it is not just the State legislatures that discriminate against us; it is also the Congress which discriminates against us. Just in 1924 Congress passed an immigration law, you know. Under this immigration law imagine our surprise to find that if a man citizen is living in this country and wants to get in his foreign wife, alien wife, who is living abroad, why, she can just come in regardless of the quota. On the other hand, when I was investigating a case the other day for an American woman, a very nice woman, who had married a foreigner and wanted to get her husband into this country, I found he was subject to the quota. He was not accorded the exemption accorded the alien wife of the man citizen. He can only come in subject to the quota.

Mr. SUMNERS. Is not that a case where we let the women in and do not let the men in?

Mrs. MATTHEWS. We are considering the citizens of the United States. The immigration law gives a right to an American man citizen which it denies to an American woman citizen.

The CHAIRMAN. But you forget when she married a foreign husband she became a foreigner and was no longer a citizen of the United States.

Mrs. MATTHEWS. No, sir. [Laughter.]

Mr. MICHENER. That was true until September 22, 1922.

Mrs. MATTHEWS. Yes, sir.

Mr. MICHENER. When the law was changed.

Mrs. MATTHEWS. Yes, sir. And even under that law women were not given full, equal citizenship rights, you know.

Mr. FOSTER. What you complain of is that the American man can bring his foreign wife over, but the American wife can not bring her foreign husband over?

Mrs. MATTHEWS. That is the idea.

Mr. SUMNERS. Is there not another way to state that, that the foreign wife can get in, but the foreign husband has difficulty?

Mrs. MATTHEWS. You can state it that way, if you like.

Mr. MICHENER. The reason for that is that in drafting the immigration law the word "wife" is used and the word "husband" is not used, and the Department of Labor, in interpreting that law, instead of construing the law liberally——

Mrs. MATTHEWS. No, sir; that is not it. It is very definite, and if you will get it, you will find it names what persons are entitled to be exempted from the quota and goes on and says "children" and then says "wife," and then goes on and tells about those that are not exempt from the quota.

Mr. MICHENER. That is just what I said. The law expressly uses the word "wife" in the statute, and does not use the word "husband."

Mrs. MATTHEWS. Later on it uses the word "husband."

Mr. MICHENER. But not in this particular section, and that is the reason given by the Department of Labor in construing that statute—why the husband can not come in.

Mrs. MATTHEWS. No, sir; I think you are wrong, and I will tell you why——

Mr. MICHENER. I have had one case.

Mrs. MATTHEWS. I have, too [laughter]; the provision of the law says that the husband, while he can not come in regardless of the quota, that he is entitled to a preference in granting the visé, you know.

Mr. MICHENER. Yes.

Mrs. MATTHEWS. Well, now, they certainly must have known they were talking about the husband; they put it right down there definitely, and the husband gets only the preference that attaches to those immigration visés.

Mr. MICHENER. We do not disagree.

Mr. PERLMAN. The law makes the wife "nonquota" and then provides for the immigrants in the quota and includes the husband in the quota law.

Mr. MICHENER. That is just what I have stated.

Mr. SUMNERS. I would like to ask you one question in regard to this particular case: Suppose this proposed constitutional amendment had been adopted and was part of the organic law now. Could you get in both the husband and wife or get in neither?

Mrs. MATTHEWS. Well, you would have to adjust that: you would have to treat them both the same.

Mr. SUMNERS. I know; but which way would the sameness work?

Mrs. MATTHEWS. I think you men here in Congress would have to decide that.

Mr. SUMNERS. You are talking about enacting a new law, and I am talking about law under this amendment as a part of the Constitution.

Mrs. MATTHEWS. I understand.

Mr. SUMNERS. You could not broaden a State law by reason of a constitutional amendment, could you?

Mrs. MATTHEWS. Of course, there are court interpretations for this, and some court interpretations hold——

Mr. FOSTER. Your point is you are willing for her to come in, but you want to provide in the law they have equal opportunities.

Mr. SUMNERS. How would you provide in the law to let them all have that right?

Mr. MICHENER. Just insert the one word "husband" in this law as it now is, so far as this particular statute is concerned, and then the husband would have the same right of preference which the wife has to-day.

Mr. MONTAGUE. And there is no prohibition against the amendment of the law in that particular.

Mr. SUMNERS. I would like to ask a question while we are dealing with this one question. You undertook to deal with discriminatory State laws?

Mrs. MATTHEWS. Yes, sir.

Mr. SUMNERS. Suppose the State enacts a discriminatory law extending power, granting a privilege, broadening it in a general line. Would the effect of this proposed amendment be to nullify the attempted extension of power which did discriminate, rather than to broaden that power and take in women, for instance, who are not provided for in the original bill? I am asking for information; I am really asking this as a serious question.

Mrs. MATTHEWS. I think that what would be adopted would be a general rule; for instance, if a power could be exercised by all men and by unmarried women, this amendment would have the effect of bringing married women into this class. I think the general rule would be adopted.

Mr. SUMNERS. I see the difficulty in fully answering that, because you would have to stop to think with reference to the particular class of cases I have asked you with reference to.

Mrs. MATTHEWS. Yes.

Mr. SUMNERS. I wish you would look it up and answer that question in your brief—will you?

Mrs. MATTHEWS. I will be glad to have you submit something to us that is more definite. [Laughter.]

Mr. MICHENER. Something you understand?

Mrs. MATTHEWS. Well, something that is more definite.

Mr. SUMNERS. You have the maximum of my ability in that respect, and if you will look at the question, when you do examine my questions close enough, I think I make my meaning plain.

Mrs. MATTHEWS. Now, I wanted to take up a few of the objections that have been made, and one objection is that it will do away with the Sheppard-Towner Act—the act for the promotion of maternity and infancy. Now, you know that this act just provides for the giving of information, really, and if a man wants information under that act he can get it, and frequently the men do get it; the wives send the men in and they get the information. Moreover, it is for the benefit of boy babies as well as for the benefit of girl babies. Moreover, a law is equal that applies equally to everybody similarly situated. We have a law now for soldiers, like the soldiers' bonus. That law does not apply to all men, but it is equal because it applies to all men who have performed particular services. Even if there are laws for pregnant women, they are equal because they apply to all persons who are pregnant.

Another point which is frequently made is that the equal rights amendment will do away with the requirement for the support of the family. You know this question about the husband supporting the wife reminds me of a little story that I heard down in Mississippi,

which is my native State. There were some young men who were talking about voting on election day and they were saying who they were going to support, and so on, and they stumbled on an old colored lady as they were walking in the house, who was sweeping the floor, and they said, "Antie, who are you going to support?" She looked much amazed for a while and then she said, "I is going to support the same old man I has always supported." [Laughter.] So I think if you pass this equal rights amendment, the women will be supporting the same men they have always supported.

You would be surprised to read through the laws of this country with reference to support and to find how the liability of the wife has been extended. The only effective means of compelling support of children is under the criminal laws. Most of these laws place the responsibility upon the father and mother. They say "any parent who leaves his or her child in destitute circumstances" may be brought within the criminal support laws. Moreover, there are States whose laws provide that the husband and wife shall be liable for the support of the family—for the family's expenses. For instance, in Iowa, there is a statute which says that the husband and wife are liable for family expenses. A woman was sued for a diamond stud which her husband had bought. The lower court said a diamond stud is not a family expense, and that the lady was not liable for that. The creditor was not satisfied and he appealed to the Supreme Court of Iowa, and the supreme court said that a diamond stud, when used by the husband to pin his cravat, and when a family is in pretty good circumstances, could be a family expense, and the supreme court directed the lower court to try the case on its merits. There is a law like that, too, in Illinois, Colorado, and many of the other States. New Hampshire has a law which says that any parent which deserts his or her child is liable under the criminal laws, and then it says that any woman who deserts her husband, or any woman who deserts her children, without cause, can be sent to jail for six months or fined so much money; and, if she is fined, the fine may be applied, in the discretion of the court, to the benefit of the deserted husband and children.

Mr. MICHENER. You want all the States, then, to have laws like New Hampshire? Now, in Michigan, for instance, and many other States, it works just the other way. In Michigan the diamond-stud situation would be reversed: a wife might buy a diamond pin and if it was a thing used in her station in life it might be construed as a necessity and the husband would be responsible for it.

Mrs. MATTHEWS. I will tell you, I do not know whether——

Mr. MICHENER. But the woman can not be held if the husband buys anything; she is not responsible in any way.

Mrs. MATTHEWS. I do not know whether that is true or not. In Michigan the husabnd is liable for the necessaries. This statute in Iowa says, "family expenses" and the court pointed out that "family expenses" goes further than "necessaries."

Mr. MICHENER. The Michigan statutes are very clear, and in several other States, on the question of whether a diamond pin may be necessary for a woman in a certain station in life, it is a question of fact and goes beyond mere food, raiment, and clothing.

Mrs. MATTHEWS. I do not think there is any Michigan statute which defines the support the wife is entitled to; it is just governed by the common law.

Mr. MICHENER. In Michigan the statute is simply that the wife is entitled to support. Then it is a question of what support is, and that is determined by the station in which folks live.

Mr. HICKEY. Well, do you want the Iowa rule to have general application?

Mrs. MATTHEWS. I just spoke of the Iowa rule to show you what the States are doing. Of course, each State could establish its own rule as to liability. The whole tendency is toward making the wife liable for the support of the family.

Mr. SUMNERS. You mean there is an increased legislative tendency in that direction?

Mrs. MATTHEWS. Yes, sir; all the time.

Mr. SUMNERS. As you have examined the laws of the several States, have you discovered any disposition on the part of the States to bring the laws to a more uniform basis in reference to the husband and wife, or is the contrary true?

Mrs. MATTHEWS. You see, we go into the State legislatures and work for these bills, and we agitate and agitate for them.

Mr. SUMNERS. Can you answer my question—what was your discovery with reference to the tendency in the several States toward increasing or removing the objections which you urged?

Mrs. MATTHEWS. When we go into a State and struggle for measures the tendency is to give a few of the things we ask. If we ask for 10 maybe they will give 1; if we ask for 20 maybe they will give 2 or 3. We asked for 25 in New York and I think they gave us, probably, 4 small points. The States take away some things after they give them.

Mr. SUMNERS. Applying it to both sorts, is this tendency toward relieving the things, the inequalities you complain of, or toward increasing?

Mrs. MATTHEWS. Well, I think that the tendency is toward improvement. I do not hardly see how it could be otherwise, but we have to watch very carefully and to spend a great deal of our time in protesting against all these various things, and even if it were true we could remove all the discriminations in all of the States, we would still ask for the amendment, because we want to write this principle of equal rights into the fundamental law of the land.

Mr. SUMNERS. I am going to ask you to return—I think it is rather important—to the point I raised a while ago; that is, if this proposed amendment should become a part of the organic law and the State legislatures should undertake to grant some special advantage to the women and did not grant a similar and equal advantage to the men, would not that effort on the part of the legislature be a nullity?

Mrs. MATTHEWS. Yes; I think that it would be.

Mr. FOSTER. While you have that digest there, what is the fundamental difference in Ohio; what does your digest show in Ohio? I was just curious to know what you have found.

Mrs. MATTHEWS. Well, we secured the passage, I think at the last session of the legislature, in 1923, of an equal guardianship law giving the father and mother equal rights.

Mr. FOSTER. I was not trying to get you to tell what you did do, but what it is they should do.

Mrs. MATTHEWS. Let me think.

Mr. SUMNERS. She has three pages of it.

Mr. FOSTER. I thought I had better bite now than let it come like a flood later, like in the case of Texas.

Mrs. MATTHEWS. One thing Ohio does, it has about 16 occupations from which it excludes women.

Mr. MONTAGUE. What are those occupations?

Mrs. MATTHEWS (reading):

> The employment of females in the following occupations or capacities is hereby prohibited, to wit: As crossing watchmen, section hands, express driver, moulder, bell hop, taxi driver, jitney driver, gas or electric meter reader, ticket seller, except between the hours of 6 o'clock a. m. and 10 o'clock p. m., as workers in blast furnaces, smelters, mines, quarries, except in the offices thereof; shoe-shining parlors, bowling alleys, pool rooms, barrooms, and saloons, or public-drinking places which cater to male customers exclusively and in which substitutes for intoxicating liquors are sold or advertised for sale; on delivery service wagons or automobiles, in operating freight or baggage elevators, in baggage handling, freight handling, and trucking of any kind, or in employments requiring frequent or repeated lifting of weights over 25 pounds.

Mr. MONTAGUE. Would you repeal those if you had your way?

Mrs. MATTHEWS. We think the woman should be left to decide for herself what occupations she should enter into. We do not think she needs the guardianship of the State in this respect. For instance, it says there, no woman shall be a taxi driver. In New York a woman had tuberculosis; her husband died and left her with two children, and the doctor told her what she should do was to get out in the open air, and she had no money, and she was driving this car and taking passengers, and, being out in the air so much, it cured her disease and the passenger hire enabled her to support her children. If she had been living in States like Ohio she could not do that. Another thing, there is no law, you know——

Mr. FOSTER. Of course, you understand Ohio does not have New York City in it. [Laughter.]

Mrs. MATTHEWS. It says no woman can be a meter reader.

Mr. FOSTER. That is the person who goes down in the basements to read meters.

Mrs. MATTHEWS. Yes; we asked why that was. They said "Oh, well, it is dangerous for a woman to go down in a basement;" but, you see, the women can go down in the basement and scrub the floors, and nobody raises any objection except when it is a nice job.

Mr. MICHENER. Do you not think there is a distinction between a woman going around the house and crawling up in the attic and taking care of the house, and going around to strange houses, strange places? A good housewife should take care of the cellar. Do you not think there is a distinction?

Mrs. MATTHEWS. It is not only the good housewife who goes down in the cellar; there are a lot of women who go around scrubbing floors for a living.

Mr. FOSTER. When you go out to read a gas meter, you go into every house, good, bad, and indifferent, and worse. That was the object they had in mind right along, to prevent any lady from taking any position that took her into the basements of the worst

residences, and into the worst part of some bad cities, as an extreme case. That is what they had in mind.

Mr. MONTAGUE. Whether the purpose was wise or unwise, was not the purpose of the law to protect the women of Ohio rather than to injure them?

Mrs. MATTHEWS. I have no doubt that was probably the intent of the law.

Mr. MONTAGUE. That was the intent of the law; it may fail, but it was the intent.

Mrs. MATTHEWS. But it is like this: You see, if you establish this principle that women can be excluded from all kinds of occupations, it simply means when employment is scarce and there is probably a lot of competition that the men employees will be glad to take advantage of those circumstances to insist that the women be further protected.

Mr. SUMNERS. May I ask you one question right there, and it affects this whole proposition: Do you not think the people of Ohio, who live there and know the local conditions, are in a better position to judge—the women there, the legislature there, and all the folks there are in a better position to judge—what sort of a law ought to govern in that particular case than Congress, and now they have an opportunity to use discretion.

Mrs. MATTHEWS. I do not think the point is whether they are in a better position to judge. Congress will only say to them by this amendment, "You can enact whatever law you please, but you must not have a law which establishes one rule for women and another rule for men."

Mr. SUMNERS. But if you should exclude women from just this sort of thing—I do not say it is wise, but if the people there should think it was wise and undertook to exclude the women, they either could not do it or they would have to exclude the men, too, would they not?

Mrs. MATTHEWS. They would have to prohibit them both or allow both to do it.

Mr. SUMNERS. Here is the point that bothers me: I agree, if I may speak as one member of the committee, with reference to the general proposition, that these discriminatory laws with reference to property, etc., ought to be abolished, but we come to this serious question—and I believe I express what is in the minds of a good many members of the committee—it is a pretty serious thing for the great Federal Government, that can not possibly know these local conditions, by its own mandate to put a limit upon the discretion of the people and governments of the several States as to how they shall deal with those matters which affect their respective citizens.

Mrs. MATTHEWS. You know, Congress can not pass this amendment by itself; after it has considered the amendment, three-fourths of the States have to adopt it.

Mr. SUMNERS. It does not matter at all to me as to the method by which it is done. I am talking about the result when this becomes a part of our organic law—the effect on our system.

Mrs. MATTHEWS. You see, when the States adopt this, when three-fourths of the States adopt this, the other States have agreed to be bound by the adoption.

Mr. SUMNERS. That is true; but when this becomes a part of the organic law, it affects not only the generation in being but all generations to come, and it affects not only our Nation's governmental policy, but affects virtually the whole scheme of government in this entire country of ours. I am very candid to tell you that is my difficulty, and if you can address yourself to that point it would be helpful to me.

Mrs. MATTHEWS. We think the principle of equal rights between men and women is so important that it should be protected by the supreme law of the land; that this principle should be put into the highest law of the land and that no State should have authority to ignore this basic principle.

Mr. FOSTER. Did the National Woman's Party organization oppose that law when it was enacted in Ohio?

Mrs. MATTHEWS. You see, the Woman's Party was organized to work for suffrage; then, in 1921 we organized to work for these specific things and I am pretty sure it was on the statute books at that time.

Mr. HICKEY. Did the women favor the passage of those laws in Ohio?

Mrs. MATTHEWS. I can not tell you that; I can not go into that. We have a speaker here on women in industry and she can tell you about whether the women like these kind of laws or not.

Mr. FOSTER. You have mentioned that item; is there anything else fundamentally wrong in Ohio?

Mrs. MATHEWS. This principle that the services of the wife in the home belong to the husband, and the right of the husband to recover damages when she is injured is recognized there. Ohio is a pretty good State; Ohio is a State where they do not have any difficulty about dower and curtesy, because they give both the husband and the wife dower; it is absolutely equal. What we would like to do is——

Mr. FOSTER. Of course, they have women in the House of Representatives and Senate and on the Supreme Bench, I think——

Mrs. MATTHEWS. Yes, sir. We are asking for in Ohio at the present time a bill to give women teachers in the public schools equal pay with men. Although teaching was the earliest profession open to women, there are only about nine States which provide in their law against discrimination in pay between men and women for like services.

Mr. PERLMAN. Is New York one of those States?

Mrs. MATTHEWS. Yes, sir.

Mr. BOWLING. It is very evident you have given this matter careful consideration. Will you kindly tell us what discrimination you have found in the laws of Alabama along this line?

Mrs. MATTHEWS. Well, the wife is not allowed to convey her real estate unless her husband joins in it; but, on the other hand, a man can convey his real property, subject to her dower, of course, which gives him, of course, authority to dispose of about two-thirds of his real estate. That is one. Another one is in regard to children; the father is, of course, the sole natural guardian, under the old common law. There has never been any change in that, although in case of divorce the court can decide, with some

preference to be given to the father. Also, in case the child has an estate, the father is preferred as the guardian of that estate. Those are some of them.

Mr. DYER (presiding). As I understand it, you have prepared a brief or memorandum covering these discriminatory laws and exceptions in the various States, have you not?

Mrs. MATTHEWS. Well, I do not know. What did you want it for? I do not know whether I have anything just for your purpose or not.

Mr. DYER. I say your statement includes a general résumé of all the States; that is, where the laws already give preference to the men over women?

Mrs. MATTHEWS. No, sir; we have not made a research and compiled complete information for all the various States. We are going to do that when we have entirely completed the research; but, you see, when we need information for our various States we just take a State and go from the first page of the code to the end of it, and then take up all the decisions. When we get through doing that for each State, then we will put all the States together.

Mr. DYER. I just asked you for information.

Mr. BOWLING. May I ask you one more question? I think this question probably has been answered here before, but I want your opinion: Is it impossible to remove any of those discriminations without this constitutional amendment?

Mrs. MATTHEWS. Why, we are working all the time, you know, to remove them, and we make gains in the States now and then, and sometimes we find the gains which we make, or the gains which women have heretofore made, are taken away from them. Sometimes women work for 5 years or 3 years, and in one case as many as 30 years, to get them back. But, of course, they are going forward and probably could get it in the course of many, many years—a long time from now—just by State action. But if we did, the States at any time could take away what they gave, and we want to write it into the Constitution, so that then the principle must be observed and no State be able to ignore it.

Mr. BOWLING. You would not have the power given to the Federal Government to prevent a State from repealing a law.

Mrs. MATTHEWS. No; the States can do that; the State can repeal its law, but it must set up a standard of equality in the place of it.

Mr. BOWLING. Suppose they want to change that law a little later on?

Mrs. MATTHEWS. It can change that, change it as much as it pleases, just so it observes this principle of equality.

Mr. DYER. How much more have you that you wish to bring to the attention of the committee?

Mrs. MATTHEWS. I think I have said all I ought to say just now.

Mr. DYER. I was going to suggest if you have not finished and you have a statement that you have prepared, which you want to add to it, and it is not too long, I am sure there would be no objection to putting it in.

Mrs. MATTHEWS. Thank you, sir, but I have not any prepared statement.

Mr. FOSTER. In view of the fact you represent the National Woman's Party, as the only organization advocating this, may I ask

what is the membership of your National Woman's Party, and how is it distributed? I think it is advisable to show something along that line in view of the statement of one of your predecessors that the National Woman's Party was the only organization advocating this.

Mrs. MATTHEWS. I personally do not know, and I would not be authorized to give it, because so far as I know we do not do that.

Mr. FOSTER. You say you would not give it.

Mrs. MATTHEWS. No.

Mr. FOSTER. I withdraw the question; I did not know your attitude on it.

Mr. MICHENER. Now let us see, you appear here, then, as an organization asking us to do something, and contend that you are representing the women of the country. [Cries of "Oh, no!" "No!"]

Mr. MICHENER. The National Woman's Party, then.

Mrs. MATTHEWS. Yes.

Mr. MICHENER. And you refuse to tell us who constitutes that party?

Miss YOUNGER. Oh, no.

Mr. MICHENER. And what part of the women of the country it represents?

Mrs. MATTHEWS. If you would like to have a list of our State chairmen in the various States and our various boards we will be glad to submit that.

Mr. MICHENER. I am not interested in that; I am interested, when any organization comes here to ask for anything as an organization, to know what that organization is—what per cent of our women, what per cent of our female population, is interested in the particular move which you are sponsoring.

Mrs. MATTHEWS. I think if you had a list of our State officers and of individual State boards, you would be able to judge who those women are, and whether or not they are representative.

Mr. MICHENER. I do not want to take issue with you, but we have organizations in Washington who have letterheads showing two or three representatives in each State, and who come before our committee very often and say they represent so and so; and, when you get down to the bottom of it, you find it is a Washington organization with half a dozen or 20 people in the several States who have no real knowledge about what these folks are doing here in Washington, and, as a matter of fact, they do not represent anything except the few people who appear from Washington.

Mrs. WHITTEMORE. I would be just delighted to show our representative and let him cast his eyes over our letterhead to start with now, and to furnish him with a list of our executive committee in Michigan.

Mr. MICHENER. I am thoroughly familiar with your organization in Michigan.

Mr. MONTAGUE. What was the first question asked?

Mr. FOSTER. I was prompted to ask this question solely by the fact I received a communication signed by the Woman's National Organization, with some 10 or 12 others opposed to it, and two speakers this morning referred to the fact the National Woman's Party was the only woman's party fostering this amendment.

Mrs. WHITTEMORE. I believe so.

Mr. FOSTER. I was trying to get her to give us an approximate idea of how many there were in the organization and how general throughout the country it is represented. Have you that information?

Mrs. WHITTEMORE. I do not know that I can answer your inquiry for the country, but I can answer for my own State.

Mr. DYER. Answer it for your own State, then, as far as you can; answer it as far as Michigan is concerned.

Mrs. WHITTEMORE. In Michigan the National Woman's Party has been organized since about 1914, if I am not mistaken. I was the acting chairman and chairman for a number of years in that State, and after the suffrage amendment passed there was a period wherein no activity was taken, because, gentlemen, we thought none would be necessary. Then, when we reorganized in 1921 we reorganized on a different basis. I should say in Michigan there are a thousand, possibly more, members of the National Woman's Party.

Mr. MICHENER. It is the same organization continued that was in the fight for suffrage, is it not?

Mrs. WHITTEMORE. Yes, sir.

Miss YOUNGER. It was never so large an organization as some of the others, but it never had but one purpose and every member of that organization has joined for that one purpose. To-day we have not started in organizing the entire country. We are doing that as we get the research work finished, which we hope will be this spring, and then we are going out to enlarge the mebership. I do not know how many thousands we have now, but if you would come to our headquarters I can give you most definite figures.

Mr. FOSTER. I do not want that.

Mr. MICHENER. We want it for the record.

Mrs. WHITTEMORE. Our files have always been open to every one.

Mr. DYER. I think an answer not intended by Mrs. Matthews has led to this controversy, and I will say the committee got the impression that the organization would refuse to give to the committee an answer to the question which was asked as to the strength of the organization. You do not refuse to do that, do you?

Miss YOUNGER. No. I do not know the number of members. I am the congressional chairman. I do not know about the membership department. I do not think anyone here knows.

Mr. DYER. You have never refused to give the committee any information they have asked, have you?

Miss YOUNGER. No; we never have. We had about 50,000 members of the National Woman's Party at the time we were working for the Federal suffrage amendment.

Mr. MICHENER. You can insert it in the record if you will, and give us the information as you have that, and just give it by States.

Miss YOUNGER. I will be glad to.

Mr. MICHENER. You never have denied us any information we asked for.

Mr. FOSTER. Was the National League of Women Voters in existence when the amendment was ratified?

Miss YOUNGER. Yes; that was the American Women's Suffrage Organization. That reorganized before the ratification.

Mr. SUMNERS. I would like to say for the record, Mr. Chairman, as far as I am concerned, it does not make any difference whether this organization has 20 people or 20,000. The question with me is whether the proposition they present to the committee is a sound proposition in government and we ought to have it.

Mr. FOSTER. The only reason I felt prompted to ask it is because a number of your speakers stressed the fact that you were the only organization championing it, and here are communications from 12 women's national organizations opposing it. The numbers do not count, but I am interested in getting the women's viewpoint on this proposition.

Miss YOUNGER. Perhaps you had better ask the others if they have ever heard the arguments for this proposition.

Mr. FOSTER. That is the reason I asked the question.

Miss YOUNGER. We have not gone out to the country, except here and there, to increase our membership.

Mr. FOSTER. This organization and all of you were together on the women's suffrage amendment?

Miss YOUNGER. Not at first. We centered the fight on Federal suffrage; we were solely for the Federal suffrage amendment.

Mr. DYER. Now, Miss Younger, have you another witness?

Miss YOUNGER. We have one more.

Mr. DYER. You may proceed, Miss Younger.

Mr. HERSEY. Mr. Chairman, before the next witness is called, while Miss Younger is on her feet, I would like to ask, does your organization oppose the child labor amendment?

Miss YOUNGER. We have taken no part in anything in Congress except the Federal suffrage and now the equal rights amendment.

Mr. HERSEY. You are aware this committee passed the child labor amendment?

Miss YOUNGER. We are aware that it passed; yes.

Mr. HERSEY. And it was generally understood when the suffrage amendment was granted, that they had a great interest in child labor and would work to enact just such labor laws, or to see that they were enacted. You remember that was part of the granting of suffrage to women and giving them the ballot, whereby they could overcome the inequalities of suffrage. Now, having the ballot the same as men and having about an equal number of women voting as men in the Nation, what is the reason the women in each State, who have about equal suffrage with the men and certainly hold the balance of power in the State elections, if they want to remove the inequalities of the State laws, which could be corrected by the ballot, could not they go before the legislatures, and, holding the balance of power, get just what you wanted?

Miss YOUNGER. That we have been doing and, as Mrs. Whittemore explained, it is a very long drawn-out matter, just as you told us to go to the States and get State suffrage.

Mr. HERSEY. You could not get State suffrage?

Miss YOUNGER. No; we could not. For instance, in the State of Ohio several times it was defeated, and we had to get a national amendment. It is just the same to-day; we have to come here not only because of the time it saves but in order to get it permanently; because what we get in one legislature may be taken away by another legislature.

Mr. HERSEY. The child labor amendment was passed by this committee, went to Congress, and was passed by a large majority, and went to the States, and it has been defeated. And, now, do you expect any better treatment if we should pass this amendment to the Constitution, if Congress should pass it—do you expect any better treatment in the States where the same questions arise, where certain States have good laws for women, equal laws, almost?

Miss YOUNGER. I believe there will be a very much greater fight for ratification in the State legislatures for this than for suffrage.

Mr. HERSEY. You would have the same differences as on child labor.

Miss YOUNGER. We took no part in the child-labor fight; we have taken no part in any fight except for suffrage and equal rights. There is only one thing at a time that we stand for.

Mr. HERSEY. I am asking your opinion, if we pass this amendment, would not the legislatures say, those States with good laws, that have equal laws between both men and women in the Constitution—would they not say, "We have no interest in the matter," and in the States that do not have good laws, equal laws for both men and women, you would be up against it there anyway?

Miss YOUNGER. It is up to us women to make the fight in the legislatures.

Mr. HERSEY. I wanted you to understand what you have to show this committee to get Congress now to pass the amendment; you have to show to us it is the same way of getting the united support of the women of the States, almost, or it is not going to pass.

Miss YOUNGER. We did not have the united support of the women of the United States when we passed the Susan B. Anthony amendment.

Mr. HERSEY. You had very near it.

Miss YOUNGER. Oh, no. You bring us now to a question that will be discussed by our next speaker, and that is women in the industrial field. We find, as the old discriminative laws are being wiped out, there is a new group of discriminations springing up in the industrial field.

Mr. HERSEY. Are you aware the American Federation of Labor is against you on this?

Miss YOUNGER. The American Federation of Labor is not to-day opposing us.

Mr. HERSEY. They claimed so before this committee.

Miss YOUNGER. They are not to-day opposing this.

Mr. FOSTER. One of the communications that came to me this morning from these 12 organizations is from the American Federation of Labor.

Miss YOUNGER. In 1922 it passed a resolution against it. In 1923 it passed a resolution saying that while they realized—that while organization was the best method of helping working women, they would continue their study of legislation in cooperation with other groups, and the 1924 convention passed no resolution against us.

Mr. HERSEY. I beg your pardon, but I do not want you to understand that the questions I have asked tend to indicate I am not friendly to your amendment.

Miss YOUNGER. I know.

Mr. HERSEY. I wanted to explain the difficulties as far as I can, so that you can take care of them, because this is your day in court.

Miss YOUNGER. I will give you the resolution they passed last year, and there was none this year. The American Federation of Labor, as a body, is not opposing us. When the National Woman's Party began making a research on these laws, we had no intention of going into the industrial field. Many of us believed in these so-called "protective laws" for women. I myself was very active in my own State of California in getting the eight-hour law for women, but, as we went on with our research into the laws and as we heard more and more from the working women themselves we have came to realize that some of the greatest inequalities and injustices to women to-day are the so-called "protective" laws. We feel that women should have equal rights in industry as in the professions and every other field of woman's activity. And however valuable these protective laws may have seemed in the transition stage upon woman's entrance into industry, to-day women are in industry and it is no longer fair to class them in legislation with children. We think they should be put on an equal footing with men, with whom they must compete.

I am now going to introduce Mrs. Mary Murray, the president of the Woman's League of the Brooklyn-Manhattan Transit Co., a group of a thousand working women. Mrs. Murray is a woman who is at work and who left her job to come here to-day.

(The following papers were submitted for the record by Mrs. Matthews:)

WHY A CONSTITUTIONAL AMENDMENT?

The Woman's Party is striving to remove every artificial handicap placed upon women by law and by custom. In order to remove those handicaps which the law can touch it is endeavoring to secure an amendment to the United States Constitution stating: "Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction."

There are a number of reasons for working for a national equal rights amendment instead of endeavoring to establish equal rights by State action alone, as has been the course pursued during the past 75 years:

(1) A national amendment is more inclusive than State legislation: The amendment would at one stroke compel both Federal and State Governments to observe the principle of equal rights, for the Federal Constitution is the "supreme law of the land." The amendment would override all existing legislation which denies women equal rights with men and would render invalid every future attempt on the part of any legislators or administrators to interfere with these rights.

(2) A national amendment is more permanent than State legislation: The national amendment would establish the principle of equal rights permanently in our country, in so far as anything can be established permanently by law. Equal rights measures passed by State legislatures, on the other hand, are subject to reversal by later legislatures.

(3) A national amendment is a more dignified way to establish equal rights than is State legislation: The principle of equal rights for men and women is so important that it should be written into the framework of our National Government as one of the principles upon which our Government is founded. The matter is far too important to our Nation's welfare and honor to leave it to the States for favorable or unfavorable action or for complete neglect, as they see fit.

In addition to the superior value of a national amendment after it has once been established, there are various tactical advantages in campaigning for a national amendment over campaigning for State legislation:

(1) The campaign for a national amendment obviates the costly and difficult State referendums which frequently occur in State legislation. Equal-rights

measures passed by the legislatures must be submitted to a State referendum when the existing discriminations are written in the State constitution and can only be removed by amending the constitution. Furthermore, referendums are frequently forced by an initiative petition upon bills which have passed the State legislatures. No referendum is necessary, on the other hand, in the case of a national amendment. Everyone who worked in the suffrage campaign is familiar with the great cost and difficulty of State referendums and of the value of a national amendment in obviating this expensive and laborious method of achieving a reform.

(2) The campaign for a national amendment unites the resources of women and therefore makes these resources more effective than when divided among 48 State campaigns. In the campaign for a national amendment the strength of the equal-rights forces is concentrated upon Congress and is therefore more effective than when divided among 48 State campaigns.

(3) The campaign for a national amendment takes the issue of equal rights into the national political arena, while this can not be done with State legislation. The equal-rights amendment can be made a national political issue, and its success can be made of interest to national political parties just as was done with the national suffrage amendment. It is impossible, on the other hand, to make a national political issue of State equal-rights legislation, because such legislation may be supported by a political party in one State and opposed or neglected by the same party in another State.

(4) The campaign for a national amendment forces politicians to take a position on the principle of equal rights and prevents their dodging the issue, as in the case of State legislation. It is difficult for politicians to oppose the general principle that "men and women shall have equal rights" as set forth in the national amendment, while it is easy for them to find an excuse for failing to support a particular State bill dealing with some minor point in the equal-rights program.

The Equal Rights Amendment and Special Laws for Working Women

The national Woman's Party believes in equality in the industrial, business, and professional fields as in every other field of woman's activity.

It believes women should have equal opportunity with men to secure employment and promotion as well as equal pay for equal work.

It realizes that laws which regulate the hours, conditions, and remuneration of labor of women only, and not of men, frequently prevent women from securing employment and promotion.

The Woman's Party does not presume to say whether working women shall achieve better conditions through organization or legislation, since it is not a labor organization. Nor does it oppose either since it is not an employers' association. But, as an organization dedicated to the welfare of women, it says that if there is to be labor legislation it must benefit women, and not handicap them in their struggle for a livelihood, and that this can be done by making such laws apply to men and women equally, as is already the practice in various other countries.

CHIEF FORMS OF SPECIAL LAWS

The chief forms which this special legislation applying to women—but not to men—in industry takes, is in regard to: (1) Prohibited occupations; (2) seats in stores, etc.; (3) hours of labor; (4) minimum wage; (5) night work.

As examples of how in various States and other countries these laws are equalized so as to apply to men as well as women the following facts are submitted:

1. *Prohibited occupations.*—In California there is a constitutional provision that no one shall be disqualified on account of sex from entering into or pursuing any lawful business, vocation, or profession. (California constitution, art. 20, sec. 18.)

2. *Seats in stores.*—The Florida law provides for seats for both men and women employees, engaged in mercantile or other business pursuits. (Sec. 5068, Rev. Gen. Stats.)

3. *Hours of labor.*—Oregon has a 10-hour law for all persons (men and women alike) working in mills, factories, and manufacturing establishments.

This law has been upheld by the United States Supreme Court. (Secs. 6708–6710 of 1920 Code, as amended, Laws 1923, ch. 122; Bunting *v.* Oregon, 243 U. S. 426.)

Georgia has a 10-hour law for all persons (men and women alike) working in cotton or woolen manufacturing establishments. (Sec. 3137, Park's Code.)

Mississippi has a 10-hour law for all persons (men and women alike) working in cotton mills or knitting mills and manufacturing or repairing establishments. (Hemingway's Code, secs. 4516, 4523, 4525; State *v.* Lumber Co., 103 Miss. 263.)

A large number of States have eight-hour laws which cover all State employees, men and women alike. For instance: Oklahoma's constitution (art. 23, sec. 1) provides: "Eight hours shall constitute a day's work in all cases of employment by and on behalf of the State or any county or municipality."

4. *Minimum wage.*—Minimum wage regulations on the basis of occupation and not on the basis of sex have been established, for instance, in England by the trade boards act of 1909. The principle that wage regulations should be on a nonsex basis was observed by the War Labor Board in the United States. (Rule 73.)

The United States Supreme Court, in declaring unconstitutional the District of Columbia minimum wage law applying to women and not to men, emphasized this point of view as the "present-day trend of legislation as well as that of common thought and usage, by which woman is accorded emancipation from the old doctrine that she must be given special protection or be subjected to special restraint in her contractual and civil relationships." (Adkins *v.* The Children's Hospital, 261 U. S. 525.)

5. *Night Work.*—In the case of occupations which the community feels should not be carried on at night, legislation for men and women alike has been the custom in Norway.

UNFAIRNESS OF SPECIAL LAWS

The unfairness to working women from laws applying to women but not to men is instanced in the laws prohibiting night work for women only, which a number of States have passed. In New York, for example, after this law took effect, women disappeared from behind soda fountains and candy counters on the evening shift and were replaced by men. One firm alone dismissed between 80 and 90 women. A news company which operates most of the news stands had always used older women to whom the alleged moral hazard of night work was a farce, dismissed the women and replaced them by men. This law also closed employment to women pharmacists, and to waitresses on the evening shifts, when "tips" are largest, and so on.

In the printing trade women proof readers and linotypists were replaced by men on newspapers, and though later they were able to get themselves exempted from this law other groups of women have not been so powerful.

This tendency to restrict women's opportunities seems to be on the increase, for though in the beginning of enacting this type of legislation the hour at which women must cease work was placed at 10 p. m., an attempt was made in a recent Rhode Island Legislature to place the hour at 6 o'clock.

CONCLUSION

However desirable special labor legislation applying to women but not to men may have seemed in the transition stage attendant upon woman's entrance into industry, it represents a transition stage. Wome are now industry, and the number of self-supporting women is steadily increasing. It is not fair to-day to link women with children in legislation. The only just thing is to place women on an equal footing with men, with whom they must compete.

To remove discriminations against women, so far as may be done by law, in the industrial and every other field, the Woman's Party is sponsoring an amendment to the United States Constitution which reads:

"Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction."

STATEMENT OF MRS. MARY MURRAY, PRESIDENT OF THE WOMEN'S LEAGUE OF THE RAPID TRANSIT CO.

Mrs. MURRAY. Mr. Chairman and gentlemen of the committee, one of the greatest, in fact the greatest, objections raised to the equal rights bill lies in the fact that it is demanding justice for we working women; it is demanding that we working women be given an equal chance with men in the markets of labor to earn our livelihood. And I will say right here that if there is one class of women, more than another, that should have the fullest equality with men, it is the women whom I represent, who depend upon their weekly wage for their very existence and the existence of their children and dependents; and those who oppose the equal rights bill, because of its industrial equality demands, claim they are afraid that it will injure that wonderful structure called protective legislation for women.

Now, they are not fearful of this legislation because they seek protection for its sheltering arms. Oh, no. They are not nor will not be affected by protective legislation. If they were told that they were to come under these laws and its provisions, they would rend the air with their howls of protest, demanding to be allowed to fight; they would ask "Are we not citizens; are we not voters? Do not interfere in our personal rights, in our personal liberties." Oh, no; they want it for other women, for women in industry, and we women in industry who are affected by it, and who have been affected by it and know from bitter personal experience what it means to the working women, are bitterly opposed to it.

There are many well-intentioned people who believe in this type of legislation, protective, because they do not understand it. Many believe that an eight-hour day for women is the same kind of an eight-hour day enjoyed by men. Now, that is not so. The eight-hour day that the men have gives the man the right to work overtime when necessary.

Mr. FOSTER. I beg your pardon. I come from a coal mining section, and you let one man work overtime and the whole mine stops work the next morning.

Mrs. MURRAY. That happens to be the rule now in their one particular union. It is not a law.

Mr. FOSTER. There are 60,000 of them.

Mrs. MURRAY. That is a union road in New York City, too. I come, of course, from New York State, and the law for women prohibits them from working overtime, over nine hours. It is not an eight-hour law they are asking for women, it is an eight-hour day. Now if the law prohibits women from working overtime, no matter what the emergency, or before or after a certain hour, and places no such restrictions upon men, obviously men have an advantage over women when seeking employment, and those beautiful protective laws, which have been advertised throughout the States for the benefit of working women, prove a cruel handicap to us. Protective legislation makes a criminal of an employer should he keep a woman five minutes over hours—over eight hours—and he is liable to a heavy fine or imprisonment.

Mr. DYER. Is that a law in New York State you are speaking of?

Mrs. MURRAY. It was until we railroad people fought it—we railroad women. We formed our league and it cost we working women thousands of dollars for one year to take our women, as committees, through the State to let them see if we looked as if we were able to protect our own health and morals, and our State, New York State, repealed that in the following year.

Mr. DYER. It is not the law to-day?

Mrs. MURRAY. No; we railroad people have not got it. The others have. Now those who oppose the equal rights bill, because of this industrial question, are trying to place those women in industry before our legislature as a class of weaklings, as a special class of women devoid of both moral sense and physical stamina, totally unfitted mentally, morally, and phyically to decide for ourselves, to judge between right and wrong, good and bad. But is it not strange, Mr. Chairman, the very women who are asking you for protective legislation for we women in industry are also demanding full political equality in the civil law and, in their demand, why they say that the women can hold three or four jobs; they say a woman can take care of her home, her children, her business, if she has any, and go through the States spellbinding, and look after an office, accept a nice little job like a Congressman or Senator or commissioner. We have quite a few now, all receiving the same salary as the men, the duties of which, you know, will not only take those women from their homes and children night and day, but weeks at a time.

Mr. MONTAGUE. You do not think they can perform those duties and attend to their children, do you?

Mrs. MURRAY. Yes, I do. [Laughter.]

Mr. MONTAGUE. As Members of Congress and all the various things you mentioned?

Mrs. MURRAY. I do, yes.

Mr. MONTAGUE. I misunderstood you, then; I beg your pardon.

Mrs. MURRAY. Yet when a woman goes into a store or into a factory, or a job to work for a wage, they cry out "She is changing her status as a woman"; she becomes a weakling; they put her in a class with children, a subject for laws and regulations that make her of as little value to her employer as a child of 16 years of age.

Now, Mr. Chairman, you know those people are always waving the flag of maternity before our legislature's eyes; always bewailing the danger to the future race if the working women get a square deal, get an equal chance with the men to earn their living. They will tell you that a woman's function in life is different, that is, the working woman; but ex-President Roosevelt said, "Equality does not imply identity of function." We working women, because we are mothers, potential and actual, say it makes it all the more imperative we be free to have the same chance as men to earn a good wage, to give opportunity to our children to get food, a good education, and a good environment. Nature intended that we should do this and has given to us strength and endurance not possessed by man to bring to maturity our children without the aid of a husband or a father, not only our widows and women who have an invalid husband, but women who have acquired good-for-nothing, worthless ones and who

have been forced to be the breadwinners of the family. Surely, Mr. Chairman, you must know some women among your acquaintances who have done this and done it well, and the opponents of the equal rights bill are trying hard to make it impossible by law to be done in the future.

Protective legislation only five years ago, in New York City and Brooklyn, threw thousands—thousands of women out of work.

Mr. PERLMAN. What law?

Mrs. MURRAY. The eight-hour law and the law that would not permit women to work after 10 o'clock at night. On the railroad we women could not work under those provisions, and it meant consecutive hours.

Mr. PERLMAN. How many women were there employed during those hours, after 10 o'clock at night, who were thrown out of employment?

Mrs. MURRAY. In the railroad alone of which I am an employee today, it threw thousands of women out of the Brooklyn and New York City railroad—3,000.

Mr. PERLMAN. Were they discharged?

Mrs. MURRAY. They were thrown right out of work, and the same thing out of the candy stores.

Mr. PERLMAN. Let me get that clear, because I thought I knew something about the situation in New York. You say 3,000 actually employed——

Mrs. MURRAY. Yes.

Mr. PERLMAN (continuing)—were discharged by the railroad company because of the law that was passed?

Mrs. MURRAY. Because of the law.

Mr. PERLMAN. It was not because of a reorganization of the company, or bankruptcy?

Mrs. MURRAY. No, indeed; because of the Lockwood-Caulfield transportation bill.

Mr. PERLMAN. That was a bill introduced by Assemblyman Lockwood?

Mrs. MURRAY. Yes; Senator Lockwood commenced with that and then worked for its repeal.

Mr. PERLMAN. What work could the women do on the railroad?

Mrs. MURRAY. Ticket sellers—I am one—and conductorettes and guards.

Mr. PERLMAN. They were all discharged?

Mrs. MURRAY. They were all discharged.

Mr. PERLMAN. Now you referred to the women who were employed after 10 o'clock at night. How many women in that class of employment were thrown out of employment because the law stopped them from working after 10 o'clock at night?

Mrs. MURRAY. On the railroads?

Mr. PERLMAN. No: in other industries.

Mrs. MURRAY. We have a number; there were thousands of them—we had 3,000. It was around more than 5,000, not counting those that were thrown out of work out of the ice-cream parlors, candy stores, drug stores, restaurants, women elevator operators, and women who attended news stands in the various subways and the like. It amounted to thousands of women.

Mr. PERLMAN. Did you make an investigation to ascertain how many thousands of those women were thrown out of employment?

Mrs. MURRAY. Well, there were more than 5,000. You see, gentlemen of the committee, I am a working woman and I do not have much time to gather statistics, and anyone can say to suit themselves, you know, with statistics. I do not pay much attention to them, but we have those in our books of this league, and 3,000 would be the lowest. [Applause.]

Now, Mr. Chairman, those women who were thrown out of work, widows with dependents, women who had an invalid husband, son, or daughter, deprived of their means of a livelihood, thrown out of work, to protect their health and their morals; mothers——

Mr. PERLMAN. Just one more question: That law—I think it is still the law to-day?

Mrs. MURRAY. No.

Mr. PERLMAN. That law provided that women can not be employed in any store after 10 o'clock at night?

Mrs. MURRAY. Oh, yes; that is right.

Mr. PERLMAN. It did not only affect women in industry, but the women in these department stores, which had to close up, and cloaks and suits.

Mrs. MURRAY. And I am not mentioning the ice cream parlors and restaurants; I mean the stores where they are employed at night; I am not mentioning the stores that are not open at night.

Mr. PERLMAN. Those stores usually open at 8 o'clock in the morning.

Mrs. MURRAY. I am not talking about those stores; I am talking about stores where the women were thrown out of employment, where the women are working at night. Of course, the women in restaurants have the hardest kind of work during the day and at night they can not work, after 10 o'clock at night, and of course the tips are larger at night and the work is easier. At least those women were thrown out of work, mothers and grandmothers, preserving them for future motherhood, potential motherhood. [Laughter.]

Now, Mr. Chairman, I am not talking from sentiment nor theory; I am talking from actual experience. Twenty-odd years ago I came out into this world with five babies ranging in ages from 1½ to 7 years old. My job was educating, clothing, feeding, and taking care of the health and morals of those children, as well as my own. I made good. I raised those boys and girls not only to be good Christians but good citizens, willing to give their all for their country. I gave two when Uncle Sam called, a soldier boy and a nurse. And during all those years of struggle and work and worry I never met a landlord, a doctor, or a butcher, or baker, to tell me because I was a woman in industry, or because I was a widow with five children that I would not have to pay the same rent, the same doctor's fee, the same for everything, as the man. Why, even the undertaker exacts the same price from the women. Now, are not we women of the industrial class—we mothers—are not our children entitled to the same advantages as the children whose fathers have not been called home? We say they are and we know that the only way that we can get all those good things, pay the same rent, the same for

everything, the same price as the man, is to have an equal chance with the man to earn that price. [Applause.]

Women work for precisely the same reason as men—to earn for themselves and their children food, clothing, and lodging. If we do not work we must starve, accept charity, or live in prostitution.

Now, we women in industry are intelligent enough to know that good health and good morals are derived from good food and lack of worry; but we also know the only way to get all those things, so as to have good health and good morals, be free from worry, for which we will have to pay the same price as a man, is to have an equal chance as the man to earn the price. And I want to say, Mr. Chairman, the organizations who appeared a year ago against the equal rights bill, not one of them represents we women in industry. They had no right to talk for we women in industry. [Applause.] They never called we women in industry to a conference of any kind to take up with us what we wanted and what we did not want. Their attitude is they say, "We must take it," and we must take it; "they know what is good for us." Who are they? The men labor leaders; not our rank and file of working men. They are not opposed to we women in industry. They have told us, our union workers around our railroads, time and time again, that they are with us; they want their girls to have as good a chance in this world as their boys. One may said, "How do I know when I will be called away and the wife will have to look out for the kiddies. Of course, I want her to have a chance to support them." No; not our rank and file of working men.

Then we come to the uplifters. You know there are two classes, the nonworking ones and the professional ones. Now, the nonworking uplifters are women of wealth who have never been forced by necessity to earn their living and it is just as absurd for those women to tell we working women how to regulate our lives at is would be for we working women to tell them how to regulate their lives or their homes. But the servant question is a great problem in their lives and they hope to solve that problem through and by protective legislation for women in industry, by forcing women out of industry into their kitchens.

Now, Mr. Chairman, this is no idle, rash statement I make when I say this. I have heard women in our most exclusive hotel in New York, at meetings—when welfare protective legislation was to be discussed, and they did not think a working woman was listening—I have heard every woman that got up to speak in favor of protective legislation for we working women, and the reason she gave for wanting it was because it is so hard to get maids; "it is so hard to get servants; those women do not need to be idle; look at all the domestic work." One woman went so far as to say, "A maid could put her children in institutions; I would give a woman $50 in my kitchen and my old clothes."

Then comes the professional uplifters. They come to you—they are working women; they tell you "We want those laws." They have graduated out of the wage earner's class; they are now earning salaries. Yes, they are working women, but they neglect and maybe they just forget to tell you who they work for now. They work for the various organizations who are sponsoring this protective legisla-

tion. They are holding down good jobs now in the labor organization or in the other organizations, and it is their job now to talk in favor of protective legislation for women, and they are willing to sacrifice their sisters in industry to hold their good jobs—professional uplifters.

Now, Mr. Chairman, ex-President Taft said, when he was a member of the War Labor Board, that all who came to ask for protective laws for women only, the only reason was to deprive women of competing with men for an equal wage, and his personal opinion, he said, was that the women should be protected from their protectors. [Applause.]

Now, in the National Woman's Party we have our industrial council. Every member of that council, from the chairman down, is a wage-earning woman. We went there with our grievances. We were not taken up until it was investigated by our legal staff and they found, which they did not believe in the beginning, that we women in industry—we had to hammer at them and to hammer at them to get them to take us up—and they found, on investigation, that we were, and are, being discriminated against.

And I ask you, Mr. Chairman, please, when you are deciding on this bill, do not pay any attention to those who are continually waving the flag of maternity. I am a mother of five; I had seven children, but I buried two as little infants, when they were born.

Thank you, Mr. Chairman. [Applause.]

Miss YOUNGER. Before closing I would like to read into the record or to pass into the record several leaflets.

Mr. DYER. Let us see them.

Miss YOUNGER. I think it was not made clear that in this legislation the handicap to woman is in competition for the work, and this leaflet will show that in each form of this protective legislation there is some State or county where the equality exists. For instance, in Oregon they have a 10-hour law for all persons in mills, factories, manufacturing establishments; also in Georgia and Mississippi. I would like also to say the tendency is to become more and more stringent. For instance, the Rhode Island Legislature a year ago had a bill which would not allow women to work later than 6 o'clock at night, and that class of legislation is now springing up everywhere.

We would like to say also, before closing, that the effect of this amendment would be to leave to the States to decide which standard of equality they would adopt. Now, after the suffrage amendment passed, when the States voted to ratify, Mississippi made the poll tax apply to women the same as men. In California we abolished the poll tax for men. So in each State they will know exactly what these discriminations are, as we have the bills already drawn up and in the legislatures, and it will be for each State to decide which standard it will adopt. We hope, gentlemen, you will pass this on to the States.

Mr. HERSEY. If this amendment should pass, do you think the women should have to pay a poll tax as well as the men?

Miss YOUNGER. That would be regulated by the States.

Mr. HERSEY. Would not this amendment provide for that?

Miss YOUNGER. The amendment would provide only for equality. It would be the same for both.

Mr. HERSEY. Would not that be the effect of the amendment?

Miss YOUNGER. Yes.

Mr. DYER. If the witnesses who have appeared before the committee have something which they wish to add to their testimony, if you have not it ready now you can present it to the clerk of the committee and he will take it up with the chairman.

Miss YOUNGER. There is also a telegram from Miss Annie W. Goodrich, who lived for many years on the East Side as a visiting nurse in New York, and who believes this amendment should pass and make the State laws equal for men and women.

Mr. DYER. I wish to state to those who have appeared that the chairman, Mr. Graham, was called to the House on official business and that is why he could not stay to the conclusion of the hearings, and you can present anything you have, that is not ready now, to the clerk, Mr. Jameson, and he will consult with the chairman as to its insertion in the record.

If there is no further testimony to be offered, the committee will adjourn until 10 o'clock to-morrow morning.

(Thereupon the committee adjourned until to-morrow, Thursday, February 5, 1925, at 10 o'clock a. m.)

(The following papers were submitted for the record by Miss Younger:)

BRINGING STATE LAWS INTO HARMONY WITH THE FEDERAL AMENDMENT

This same fear was once expressed concerning the Federal suffrage amendment that it might create confusion in the State laws affecting the position of women.

The answer of the Woman's Party is that each legislature at the time it ratifies the equal rights amendment or at some other time, can bring its State laws into harmony with the amendment and thus avoid any confusion.

This same fear was once expressed concerning the Federal suffrage amendment. It was contended that the suffrage amendment would throw into disorder the State laws on poll tax, registration and qualification of voters, election frauds, and so on. It was claimed, for instance, that if the suffrage amendment were adopted there would be uncertainty as to whether a poll-tax regulation applying to men only would be extended to include women or whether it would be wiped out altogether.

What really happened after the adoption of the national suffrage amendment was that each State having any necessity for so doing, enacted legislation bringing its State laws into harmony with the national amendment.

An example is the action of the State of Mississippi. Before the national suffrage amendment was adopted, Mississippi had a statute on poll tax, reading:

"There shall be assessed * * * a State poll tax of $2 on each and every male inhabitant of the State over 21 * * * years of age * * *." (Hemingway's Code, sec. 6885.)

Although Mississippi refused to ratify the national suffrage amendment, nevertheless, after the amendment had passed Congress and while it was awaiting the required 36 ratifications, the Mississippi Legislature enacted a law regulating the payment of a poll tax by women, to become effective in case the proposed suffrage amendment became a part of the Federal Constitution. This provision was as follows:

"The payment of poll taxes shall hereafter be required of females the same as is now required by law of male citizens." (Miss. Laws 1920, ch. 153, 154.)

Mississippi also adopted an amendment to the State constitution in order to bring the State constitution ino harmony with the national amendment. (Miss. constitution, sec. 243.)

Another example is Virginia. Virginia's constitution at the time of the proposal of the suffrage amendment, read as follow:

"Every male citizen of the United States, 21 years of age, who has been a resident of the State 2 years, of the county, city, or town 1 year, and of the pre-

cinct in which he offers to vote, 30 days, next preceding the election in which he offers to vote, has been registered and has paid his State poll taxes, as hereinafter required, shall be entitled to vote * * *" (Sec. 18.)

In preparation for the possible adoption of the amendment, the Virginia Legislature, although it refused to ratify the amendment, passed a law to become effective in case the amendment finally received the necessary 36 ratifications, as follows:

"Every female citizen of the United States, 21 years of age, who has been a resident of the State 2 years, of the county, city, or town 1 year, and of the precinct in which she offers to vote, 30 days next preceding the election in which she offers to vote, has been registered, and has paid her State poll taxes as hereinafter required, shall be entitled to vote. * * * All the provisions of law in any way concerning elections * * * shall be applicable to the registration and voting of women in like manner and to the same extent as they are now applicable to the registration and voting of men." (Va. acts 1920, ch. 400.)

Other States, such as Alabama, Maryland, and West Virginia, waited until the suffrage amendment had gone into effect and then called a special session of the legislature to bring their statutes into harmony with the national amendment. (Ala. acts, 1920, extra sess., p. 124; W. Va. acts, 1920, extra sess., Ch. 2; Md. Laws, extra sess., p. 1.)

Just as supplementary legislation by the States was enacted to carry out the suffrage amendment, so supplementary legislation by the States will be necessary to show in what particular way each State wishes equal rights to be established within its borders. For instance let us take a State where men can now obtain divorce more easily than women. The national equal rights amendment would establish the principle that the grounds for divorce in the State must be the same for men and women. The State would then have to decide whether the grounds of divorce now existing for men should in the future be the grounds for both men and women, or whether the grounds now existing for women should in the future be the grounds for both men and women, or whether new grounds should be established for both men and women. The State would have the right to do as it pleased except that it could not have different grounds of divorce for men and for women.

The equal rights amendment would simply establish the general principle of equal rights for men and women as one of the fundamental principles of our Government, to which principle all State laws must conform. Each State would then be free to deal with the manner of establishing equal rights in any way it thought best.

NEW HAVEN, CONN., *February 3, 1925.*

Miss MAUDE YOUNGER,

National Women's Party Headquarters,
Capitol Hill, Washington, D. C.

Would urge favorable consideration of measure presented by equal rights' party. Profoundly important that all matters related to the common welfare—that is, to the home, the education, the industries, the recreation—be clearly defined, as the joint responsibility of men and women. Only the recognition of the equal rights of men and women will impose this joint responsibility. Once the equality is established legislation may then be enacted which will insure the protection of the young, the weak, and the handicapped and thereby safeguard the race.

ANNIE W. GOODRICH.

SAN FRANCISCO, CALIF., *January 30, 1925.*

Hon. GEORGE GRAHAM,

Chairman House Judiciary Committee, Washington, D. C.

MY DEAR MR. GRAHAM: I gladly accept your cordial invitation to write you why the Woman's Party insists upon the passage of the equal rights amendment.

You will recall that equal guardianship of children was taken away from Virginia mothers when the State Code was revised in 1920, and the United States Supreme Court decision last March upholding a New York law that

prohibited women from certain employments. You also know that not only can States abolish most laws concerning women—excepting laws affecting the ballot—but they can adopt different constitutions.

Our object is to protect women from the changeable moods of State legislatures and unjust court decisions.

You asked, "If the amendment passes, will the welfare organizations continue to advocate 'special protective industrial laws' for women only?" As the amendment proposes that the principles of equal rights shall be guaranteed to both men and women, industrial laws will apply to all in industry and not according to sex.

Welfare organizations have assumed that all women are physically unfit for certain employments, and by prohibiting women "special protective industrial laws" heretofore have benefited men only. If so-called "special protective laws" required, for instance, that blind and crippled Members quit Congress or prohibited them engaging in other desirable employments, only able-bodied and strong Congressmen would be benefited, and the Constitution would therefore not be worth the paper it is written on.

The "special protective laws" for women have been actively urged by the men in Federal and State legislatures who bitterly opposed equal suffrage. The Constitution had to be amended 18 times to protect men from the constant hair splitting of both Federal and State legislatures, and the Constitution should protect women from such examples as the Lodge-Green amendment introduced last year as Senate Joint Resolution 36; House Joint Resolution 83, viz: "The Congress shall have power to prohibit or to regulate the hours of labor in mines, quarries, mills, canneries, workshops, factories, or manufacturing establishments of persons under 18 years of age, and of women."

You referred to your and my State's continued opposition to women's independence, but stated that you yourself heartily approved of women using the vote now that the nineteenth amendment guaranties it to them. Unquestionably, if equal suffrage had been left to the uncertainties of State legislatures, the women of Pennsylvania and Virginia would not have the vote to-day.

Yours is the first national committee to seriously consider writing the principle of equal rights formally into the supreme law in order that American women may be protected from such shameful injustices as indicated above, and I believe you will urge prompt passage of the amendment.

With best regards, I am

Most sincerely yours,

Mrs. Gertrude James Roley.

House of Representatives,
Committee on the Judiciary,
Washington, D. C., Thursday, February 5, 1925.

The committee met at 10 o'clock a. m., Hon. George S. Graham (chairman) presiding.

The Chairman. I understand Miss Younger desires to make a correction in her testimony of yesterday.

FURTHER STATEMENT OF MISS MAUD YOUNGER, CONGRESSIONAL CHAIRMAN, NATIONAL WOMAN'S PARTY

Miss Younger. I would like to correct an erroneous statement made unintentionally yesterday when I said the American Federation of Labor was not now opposing the equal rights amendment. I have since learned that this is not the case. It is true, as I stated, that their 1922 convention passed a resolution in opposition, while their 1923 convention did not express opposition but adopted the following report:

Great doubt is entertained as to the feasibility of safeguarding and promoting the best interests of women in industry through legislative channels. While convinced that the most certain, most definite, and most permanent

method of protecting and advancing the interests of American women toilers is through organization, your committee nevertheless recommends that the executive council continue to pursue its study of local problems in cooperation with the several group interests in securing the welfare and well-being of the women workers of our land.

Understanding this to be the last enunciation of principle by the American Federation of Labor, I asked a federation organizer present yesterday, "Are you going to oppose our amendment"? "No," he replied. By "you" I mean the federation; he thought that I meant him, personally. I hope that is clear.

The CHAIRMAN. Mrs. Hildreth is detained from being present today, I understand, by reason of illness, and desires that Mr. B. Loring Young, formerly speaker of the house of Massachusetts, be heard in her place. Will that interfere with the program you ladies have arranged? If not, we will hear Mr. Young. [After a pause.] As he does not appear to be present, we will proceed with the regular order.

STATEMENT OF MRS. JOHN DICKINSON SHERMAN, DENVER, COLO., PRESIDENT OF THE GENERAL FEDERATION OF WOMEN'S CLUBS AND CHAIRMAN OF THE WOMEN'S JOINT CONGRESSIONAL COMMITTEE

Mrs. SHERMAN. I am Mrs. John D. Sherman, of Denver, Colo., president of the General Federation of Women's Clubs and chairman of the women's joint congressional commmittee. The Washington headquarters of the General Federation of Women's Clubs is No. 1734 N Street NW.

Mr. Chairman and members of the committee, I desire to present to you the speakers representing organizations composing a subcommittee of the women's joint congressional committee and the cooperating organizations opposed to H. J. Res. 75. The first speaker this morning in opposition to the equal rights amendment is Miss Katherine Ludington, of Lyme, Conn., treasurer of the National League of Women Voters.

STATEMENT OF MISS KATHERINE LUDINGTON, OF LYME, CONN., TREASURER OF THE NATIONAL LEAGUE OF WOMEN VOTERS

Miss LUDINGTON. Mr. Chairman and gentlemen of the committee, on behalf of the National League of Women Voters and representing the views of the Women's Joint Congressional Committee, I want to open what I have to say by stating that we are not here in opposition to removing existing legal disabilities and injustices, under the law, of our women. The League of Women Voters has been, in the past five years, working actively to remove, law by law, State by State, such difficulties. We are here in opposition to the blanket method, whether by Federal or State amendment, or by any type of general blanket legislation.

As a background for an understanding of our position, I would like to say just a word about what we conceive is the kind of equality that we want for women. We draw, gentlemen, a distinction between *equality* of legal and social status and *identity* of legal and social status. It appears to us that this amendment tends toward a

conception of the status of women which at least would tend in the direction of an identical status, which we believe is neither desirable nor would be a help toward that real equality which we are aiming to get for women under the law.

Our conception of the relation of the sexes is a conception of a complementary relation in which women shall be free from any existing disabilities, hampering limitations, which prevent them from finding themselves and performing for the community and for civilization their characteristic functions as women. We do not believe that anything that tends toward a mechanical identity is going to be a real help for women in this direction. We believe that it will, on the contrary, in many cases, block woman's progress toward that complete freedom and genuine equality which we believe in and are working for.

Assuming that what we want is practical equality of opportunity, dignity of status, freedom from the hampering limitations under the law—assuming that that is what we are aiming for, then the question comes, What is the best way to get it?

Two methods are open to us. One is the proposed blanket Federal amendment, equal-rights amendment, which is before you for your consideration, with the other proposed efforts in the same direction in the States. The other is what we call the specific method, that is, amending, altering, or legislating, law by law, State by State, accurately attempting to affect or remove the particular limitation or disability which it is aimed to correct or to remove. If it were a question of submission to the existing difficulties and limitations, or if the alternative were a submission to the existing conditions, or venturing upon this path of blanket legislation, there might be something to be said; there would have to be something to be said, even for this method.

There is no question, I am sure, that the ladies who spoke to you yesterday made a very able presentation of a long list of limitations and disabilities under which women suffer in the several States. But we are not shut into that alternative, gentlemen; there is this other method available and practicable.

I would like to take up for a moment certain objections to the equal-rights amendment, and I want to say that I make no claim to any legal knowledge; I can merely suggest to you certain lines of consideration which we recommend your committee should explore for yourselves.

In the first place, we believe that the amendment is vague and open to a very wide range of interpretation. There seems to exist a long-established definition of rights under the law; there seems to be a varying interpretation ranging from the interpretations which include immunities and privileges to the interpretations which exclude them: there seems to be no accurate method of determining equality. It is, in any case, very difficult to determine what shall be a standard of equality as between men and women under the law. It seems to be peculiarly difficult in the case of a vaguely worded amendment of this kind.

How shall that standard be established? Within a State, shall the women be raised to the highest point which the law gives, for instance, in property rights and privileges, to the men of the State; or shall the men of the State, their status, be lowered, if one can put

it in that way, to the status of the women; or shall there be a kind of equilibrium established in between those two, somewhere, as between, we might say, the least-privelged women in one State and the most-privileged men in another State? Shall that be the test of equality; in other words, shall women be equal simply within their own State; or, as this amendment seems to presuppose, be equal all over the United States?

They are interesting, very interesting, the special applications which we might cite of the general implication which this amendment appears to presuppose of an identical legal status.

For instance, what would be the effect of the identity of legal status which appears to be the probable interpretation of the word "equal"—what would be the effect of identical legal status upon a woman's right to support from her husband; what of her dower rights, courtesy rights, alimony—that whole range of property rights which varies in the different States and which has behind it so long and intricate a history, of which these laws are the product. And what about widows' pensions, what about maternity legislation, what about equal guardianship? Shall a principle of mechanical equality apply there? Of course, I suppose where parents are living together the enlightened conscience of this country now accepts the principle of equal guardianship. We hope that is the standard to which every State will be brought as quickly as possible. But what about when parents are living apart; what shall govern as to them? Shall there be an absolute equality as between the parents, or shall it be based on the welfare of the child? That is just one of the considerations. I cite these simply because it brings to your minds the very highly intricate field into which any mechanical amendment would come and operate as if it were a piece of improved machinery, tearing to pieces an existing fabric of State law.

What about the treatment of sex offenses, one of the most difficult and complex questions with which society has to deal? There again shall we have a hurried offhand mechanical principle, settling that thing in an offhand way; or shall that again be settled after careful study and in view of the many considerations besides simply the consideration of mechanical equality?

What about majority—the age of majority—the age of marriage? To bring in a rather remote application, but still rather conceivable, what about conscription? And the question of the effect upon protective legislation is a very large field, but that will be covered by women far more experienced in that subject than myself.

There is one other point I hesitate to venture upon, yet I would like to bring before your attention, and that is the point of the possible scope of the power which this would give to Congress. There appears to the lay mind to be a possibility of conflicting constructions between two clauses of this amendment, the first clause saying "men and women shall have equal rights" and the next clause saying "Congress shall have the power to pass appropriate legislation" to put into effect clause 1. What responsibility does that put on Congress; where will the responsibility for the putting into effect of this general principle which clause 1 would write into the Constitution—where will the responsibility rest after and assuming its

passage? Will Congress have the moral responsibility to pass constructive legislation affecting all of the States in all the fields of law covered or touched upon in the application of this amendment? Will that be the duty of Congress? Will it have such powers? If so, it would seem that the powers granted under this amendment exceeded the wildest dreams of the most advanced advocates of the extension of Federal power, and, so far as we can gather through legal advice which we have had on this subject, the best legal opinion seems to be that neither the Congress nor the States, in ratifying this amendment, would be able to foretell or foresee what would be the ultimate end or ultimate scope of the power thus granted.

Now, just a word about the specific method, which is the alternative, if you please. In the first place, it is safer, and we believe it is more effective. You make a survey in each State of the disabilities which are to be removed, as I said before. You can then draft your legislation or your amendment to legislation specifically to meet the existing situation which you wish to affect; you know what you are doing, and you know that when you go to do it you are not going to knock away a lot of things which you did not mean to affect when you started out to do it.

It has been claimed that the Federal amendment is quicker—both simpler and quicker. We grant, gentlemen, that the wording of this amendment is simpler; we believe that it is simpler in wording, but it may not be simpler in working. We do not grant, gentlemen, that it is quicker. We have learned something about Federal amendments in the last few years; we know something about the difficulties of ratification. In addition to this, if we can believe those lawyers who have given us opinions on it, even suppose prompt passage and ratification, there might ensue a long period of litigation and confusion, of the probable suspension of salutary efforts in the direction of State legislation—a long period which would ensue before this amendment could go into effective operation.

In the meantime, gentlemen, while the agitation for this amendment has been going on, women have been working through the past four years in the States and already have secured well over 400 pieces of legislation directly and favorably affecting the legal status of women and the legal aspects of their home life. It is a case, we believe, where the longest way around is the shortest way across.

Sometimes an analogy has been made between this and the suffrage amendment. Women believed in the case of suffrage, when we were working to get the vote, there was no other way except the method of a Federal amendment; because our alternative was the amendment of 48 State constitutions, a long and cumbersome process, and in certain States made practically impossible under the amending clause of the State constitution. But this matter is a matter for State legislation, we believe. We do not think it is comparable, and there is one other point I want to make, and that is the women now have the advantage of being voting citizens when carrying on their work for this kind of remedial legislation.

Now, gentlemen, what we women want is practical equality; not a mechanical identity. We do not want to go into this thing blindfolded. Women have been supposed to be pretty good bargainers and, in this case, gentlemen, we do not want to buy a pig in a poke

and we do think this amendment can, in homely language, be described in that way.

I ask permission to file with your committee certain legal opinions and a statement as to certain remedial legislation which has been secured in the past four years through State action.

The CHAIRMAN. That will be received and filed.

(The papers filed by Miss Ludington are as follows:)

SPECIFIC BILLS FOR SPECIFIC ILLS

Within the three years of its existence the National League of Women Voters and its affiliated State leagues have secured the enactment of many laws removing legal discriminations against women.

This legislation has been secured in accordance with the accepted policy of the league to provide specific remedies for specific wrongs. This does not necessarily mean a separate law for each disability, since closely related disabilities may sometimes be specified in one law.

It does mean, however, that the League of Women Voters is opposed to blanket legislation, and therefore does not approve the proposed "equal rights" amendment which reads: "Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction."

The League of Women Voters does not support blanket legislation in Congress or in State legislatures, because it believes that such legislation would create confusion, incur loss of progress already made, and certainly lead to litigation in the courts.

"The proposed amendment to equalize the political, civil, and legal status of the men and women is open to objections arising from—

"The unwisdom of blanket legislation in general,

"The importance of making haste slowly,

"The physical need of women for legal protection,

"The undesirability of making the civil and legal status of men the norm or standard for equalizing laws.

"The better method is specific laws for specific mischiefs which—

"Will not sacrifice the principle of sex equality to expediency in promoting the reform,

"Will meet the need of discussing and maturing one reform at a time,

"Will deal better with the contrariety of discriminations now existing among States,

"Will avoid impractical or harmful equality of status desired by neither sex." (Excerpt from a syllabus of an address delivered by Judge Frederick A. Henry before the League of Women Voters of Cleveland.)

(A score of distinguished jurists, including Newton D. Baker, Felix Frankfurter, James R. Garfield, William Draper Lewis, Catharine Waugh McCulloch, George Wharton Pepper, and Roscoe Pound, have expressed opinions which concur with that of Judge Henry. Their statements are on file in the offices of the National League of Women Voters.)

WHAT WOMEN LEADERS SAY

"From its organization, the National League of Women Voters has believed in and worked for the removal of all unfair discriminations against women under the law.

"The league also believes in and works for protective legislation which the experience of the world has shown to be needed for the good, not of women only, but of the race. Because we believe that women need a kind of protection which men do not need, we have worked for minimum wage laws, mothers' pensions, the eight-hour day for women in industry, the Sheppard-Towner Act, and other measures necessary to safeguard the future physical well-being of the race through proper consideration for potential mothers.

"There is some difference of opinion as to whether 'blanket' legislation would destroy protective measures, but at best, and lawyers are virtually agreed on this point, blanket legislation would make it necessary to test the constitutionality of such laws in court, and many tedious, long-drawn-out suits may ensue, with the issue long in doubt. When the health of the race is at

stake we can not afford to have any welfare measure questioned even for a time.

"We do not believe that we need sacrifice the interests of women one to the other. We do believe that we can secure absolute justice for women and still retain those hard-won measures of protection which stand between working women and such working conditions as shame civilization and endanger the future of the Nation through a weakening of a race." (Mrs. Maud Wood Park, president National League of Women Voters.)

"I am opposed to the so-called 'blanket equality amendment' because it will not insure equality. Instead, it threatens to deprive women of some of the rights they have already gained.

"Women of other countries, when they have secured the vote, have sponsored blanket equality bills. But the situation is entirely different in the United States. Other countries have a single code of laws, which govern all the people. The United States has 48 codes of laws, 1 for the people of each State.

"During the 80 years that women campaigned for the ballot they appeared before State legislature after State legislature. The legislatures could not give women the vote; they could only submit the suffrage question to referenda, but the men in those legislatures, stirred by the appeals of the women, made various concessions which were written into the civil code.

"A blanket amendment, designed to remove all remaining discriminations against women in the United States, would run counter to many of these laws already on the statute books, and would be certain to cause litigation." (Mrs. Carrie Chapman Catt, president Pan-American Association for the Advancement of Women.)

"The blanket method is fundamentally wrong.

"Our Republic rests upon the right of local self-government, leaving to the States everything not expressly assigned by the Federal Constitution to the President and Congress. The proposed Federal amendment, on the contrary, makes it the duty of Congress to supplant the legislatures in innumerable matters, wherever equality of women with men is concerned.

"The amendment transfers to the courts a duty which should be performed by the legislatures. This makes it doubly difficult to retrieve errors by changing either the law or the lawgivers. When a legislature passes a bad law, both the law and the legislature can be freely criticised. If the legislature fails to amend or repeal the law, a new legislature can be elected in one or in two years.

"Not so the courts! For the terms of office of judges are almost always longer than those of the legislators, and many judges are appointed for life. Moreover, criticism of judicial decisions is less free than of statutes. Furthermore, judicial decisions become precedents which may last for centuries, whereas statutes can be repealed at any time, and need never be taken as examples.

"Women as such, whether or not they are mothers, present or prospective, will always need protective legislation. This, the equal rights amendment, now endangers and, if enacted, would destroy." (Mrs. Florence Kelley, general secretary, National Consumers' League.)

"Trade unions have obtained for women shortened hours and increased wages, and have also set standards for entire trades. But many trades employing women are unorganized, or the men only are organized.

"Vast numbers of women workers are girls under age; others are handicapped by foreign birth or want of training. For all such, the protection of legislation is absolutely necessary. By legislation, I mean definite laws prescribing standards of hours and sanitation, and providing plans to ensure a decent rate of remuneration.

"The opinions of the highest legal authorities go to prove that blanket legislation, while seemingly insisting upon equal treatment for men and women, is unpractical, in that it disregards the facts and the long experience of working women themselves. The advocates of blanket legislation, asking for identity of treatment for men and women assume present power to enforce industrial, economic, and civil equality if embodied in law. Neither the vote nor the passage of blanket legislation will at once remove the inequalities in law, so imbedded in our social life. It is therefore better to remove these by the gradual correction of one inequality and handicap after another, as these reforms are demanded by women.

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"There is also the risk that it would be impossible to maintain legislation protecting women against any industrial wrong unless such legislation covered men also. In many cases, this is impossible, if only for the reason that great numbers of men prefer to handle their situation through other than legal channels." Mrs. Raymond Robins, honorary president, National Women's Trade Union League.

What Has Been Done in Three Years

since the nineteenth amendment became effective in August 1920, to remove legal discriminations against women and to establish equality of rights under the law, in conformity with the program of the National League of Women Voters.

BY SPECIFIC BILLS FOR SPECIFIC ILLS

Independent citizenship for married women has been established by act of Congress.

Common-law disabilities of married women have been removed as to contractual rights:
- In seven States (a woman may make contracts without her husband's consent).

Property rights:
- In four States (spouses have an equal interest in each other's real estate).
- In one State (a wife may make testamentary disposition of her share of community property).
- In three States (a wife may own her own wages earned outside the home).
- In seven States (a wife may own her own clothes and other personal property owned before her marriage).
- In two States (a wife is given the family clothing after her husband's death).
- In eight States (parents inherit equally from a deceased child).
- In four States (a wife shares equally with her husband their children's earnings).
- In one State (a married woman of any age may make a will).
- In one State (a law has been passed permitting division of property after divorce).

Equal guardianship of children has been established by legislation:
- In 14 States (parents are given equal guardianship over their children).
- In one State a mother as well as a father must give consent to the marriage of a minor child.

The right of women to serve as jurors has been established
- In at least 21 States.
- In three States, bills to exempt women from jury service have been defeated.

Marriage laws have been improved by specific laws
- In one State (a health certificate is required before a marriage license is issued).
- In one State (evasion of marriage laws of other States is prohibited.)
- In 10 States (marriage ages for both men and women have been raised.)
- In at least two States, the causes for divorce have been made the same for both men and women.

Legal disabilities of women have been removed
- In 11 States (laws have been passed making women eligible for public office on the same terms as men.) In most States, this has followed upon the extension of suffrage to women without specific legislation.
- In all States, the right of women to act as notaries has been established.

Equal representation in political parties has been secured
- In five States (laws have been passed providing for equal representation of men and women in political party committees.) In some States, such representation is carried out by courtesy, not by law.

Blanket legislation has been defeated in ten States.

Data from all States were not available when these facts were assembled. Lack of space prevents listing the names of States cited.

Issued by the National League of Women Voters, 532 Seventeenth Street, NW., Washington, D. C., January, 1924.

WHAT EMINENT LAWYERS SAY ABOUT THE EQUAL RIGHTS AMENDMENT

(George Wharton Pepper, United States Senator from Pennsylvania)

"I regard it as most hazardous to make a constitutional declaration such as is proposed until a thorough and painstaking study has been made of the differences that now exist between the rights of men and women. It is altogether possible and in my judgment it is quite likely that such a study would reveal the existence of many cases in which it is economically and socially desirable that women should enjoy rights which men do not share. It may very well be that inequality in respect to legal rights may be absolutely necessary to insure equality of economic and social opportunity. Blindly to declare that an enforced equality in respect to legal rights must exist may result in such an economic and social handicap to women as no forward-looking person would for a moment favor."

(Edgar A. Bancroft, of Chicago, Ill.)

"This (the proposed amendment) is a flat prohibition of all discrimination in favor of women in State or national legislation. It not only removes so-called disabilities; it destroys and prevents all special rights and privileges of women.

"For the protection of women and girls in industry and business there has grown up a large body of State laws that are based solely on sex. They restrict women's freedom of contract as to time, period, and place, and compensation of employment in specified industries. They provide pensions for dependent mothers, and prescribe penalties for nonsupport and abandonment that apply only to men.

"There are other provisions in State laws, both civil and criminal, that make or recognize distinctions between the sexes. Doubtless the increased participation by women in all of the activities of industry, commerce, professional life, and politics will hereafter from time to time suggest the need for further legislation of this sort.

"All these distinctions in the laws rest upon actual and fundamental differences between the sexes; and the power of the State legislatures to deal with these subjects is now practically unlimited.

"The adoption of the proposed amendment would certainly invalidate some of this legislation and render most of it of doubtful validity. It would thus impede and postpone similar enactments for the benefit of women and girls in backward States, and delay further progress in such legislation.

"In my judgment, there are no rights or benefits to women that can possibly result from this amendment that begin to equal those which it is certain to jeopard and may destroy. It would be a needless and hazardous limitation upon the general police powers of the States."

(Felix Franfurter, Harvard Law School, Cambridge, Mass.)

"The legal position of women can not be stated in a single, simple formula, because her life can not be expressed in a single, simple relation. Woman's legal status necessarily involves complicated formulation, because a woman occupies many relations. The law must have regard for woman in her manifold relations as an individual, as a wage earner, as a wife, as a mother, as a citizen. Only those

who are ignorant of the nature of law, and of its enforcement, or indifferent to the exacting aspects of woman's life, can have the naivete, or the recklessness, to sum up woman's whole legal position in a meaningless and mischievous phrase about 'equal rights.' The law must accommodate itself to the immutable differences of nature.

"For some purposes men and women are persons, and the law should, for these purposes, treat them as persons, subjecting them to the same duties and conferring upon them the same 'rights.' But for other and vital purposes men and women are men and women—and the law must treat them as men and women, and therefore subject them to different and not the same, rules of legal conduct."

(Ernst Freund, University of Chicago)

"I am inclined to think that the proposed 'equal rights' amendment would destroy special labor laws for women, and such I believe is its purpose.

"However, I think any general equality provision difficult to frame that will not tend to have that effect."

(Roscoe Pound, Harvard Law School, Cambridge, Mass.)

"Unless a saving clause were added, I should feel quite sure that the proposed constitutional amendment in the form set forth in your letter of August 3 would be held by most judges to preclude limitations upon the power of women as such to make contracts as to hours and wages on the same terms as men. Indeed, I suspect that is about the only practical effect it would have."

(William Draper Lewis, Philadelphia, Pa.)

"I am convinced that to adopt this wording would tend to jeopardize labor laws protecting women in industry, as many of these laws to interfere with the right of women to make contracts to labor longer than a maximum period, which maximum is shorter than the maximum period of labor for which men may contract."

SOUTHERN BUILDING,
Washington, D. C., December 24, 1921.

Miss ETHEL M. SMITH,
Secretary National Women's Trade Union League of America,
Washington, D. C.

DEAR MISS SMITH: I have you letter of the 19th instant, and I regret that I am so pressed for time that I can reply only briefly as to the proposed Federal amendment.

1. I have a good deal of doubt as to the advisability or wisdom of any Federal constitutional amendment of the kind suggested. The women of every State in the Union now having been accorded the privilege of equal suffrage, I am inclined to think better results will be obtained by seeking at the hands of the various State legislatures such remedial legislation as may be needed in each State. I was very earnestly in favor of the nineteenth amendment because it dealt with a question which was to my mind fundamentally national. But there is danger in undertaking to reach all sorts of evils by additional amendments.

2. Of course no one can predict what construction the courts will put upon the proposed amendment. I think they would struggle to give it a reasonable interpretation and to save the State laws relating to the eight-hour day for women, and so on. But, of course, the Supreme Court might take the view that the amendment meant precisely what it said, and that a law which gave unequal advantages to women was as obnoxious to the amendment as one which was unequally to their disadvantage.

3. The provision that inequalities on account of marriage should not exist unless applying alike to both sexes may also result in mischief. There may be inequalities which are inherent in that relationship. The Federal law, for example, accords certain privileges with reference to the acquisition of public lands to the head of a family. Under this law, of course, an unmarried woman should have exactly the same rights an an unmarried man, each being the head of a family within the meaning of the law. But in the case of married persons either the wife or the husband must be held to be the head of the family, as obviously both can not be so regarded. Of course, the amendment may be so interpreted and molded by interpretation as to work no mischief, but there is nevertheless much danger of confusion resulting.

I must beg you to excuse me from attempting to answer the other questions submitted, because they involve study and consideration which I am, at present, utterly unable to give.

Very sincerely,

GEO. SUTHERLAND.

YALE UNIVERSITY, SCHOOL OF LAW,
New Haven, Conn., February 22, 1922.

Mrs. RUTH M. DADOURIAN,
Executive Secretary Connecticut League of Women Voters,
Hartford, Conn.

DEAR MRS. DADOURIAN: You requested my opinion with respect to the proposed constitutional amendment doing away with inequalities, disabilities, etc., of women. I am opposed to the amendment, as I think it was not carefully thought out nor its effects realized. I think, moreover, it would nullify welfare legislation. It would affect such a large mass of legislation that such a reform should not be attempted by constitutional amendment but by specific legislation in each case. It is very difficult often to tell what is an "inequality" and whether, as, for example, in the case of the widow's and widower's respective rights in the realty of the deceased spouse, the present law favors the husband or the wife. If the Constitution does away with inequality, which law shall be followed, the husband's or the wife's? The idea back of the amendment is not bad, but had they confined it to disabilities rather than to inequalities they would have been better off. I do not believe the amendment will pass, and, in my judgment, it ought not to.

Very sincerely,

EDWIN M. BORCHARD.

NATIONAL LEAGUE OF WOMEN VOTERS,
Washington, D. C., January 29, 1925.

Hon. GEORGE S. GRAHAM,
House of Representatives, Washington, D. C.

MY DEAR MR. GRAHAM: In common with many other organizations of women, the National League of Women Voters is opposed to the so-called equal rights amendment to the Federal Constitution (H. J. Res. 75), which is pending before the Judiciary Committee of the House of Representatives for action. We believe in the removal of legal discriminations against women by specific measures not prejudicial to women's labor laws or to social welfare legislation. We indorse legislation for equal rights between men and women when it is drawn with full consideration of each specific type of law involved, and we oppose attempts to deal with the subject by blanket legislation.

I am taking the liberty of inclosing a copy of one of our pamphlets "Equal rights—How not to get them," trusting that you will find this expression of our attitude of interest.

Sincerely yours,

BELLE SHERWIN, *President.*

EQUAL RIGHTS—HOW NOT TO GET THEM

[Issued by the committee on legal status of women, National League of Women Voters, Washington, D. C.]

The National League of Women Voters is a nonpartisan organization, seeking to aid in the education of the women of this Nation for citizenship, and to aid in the passage of legislation, to the end of establishing full political equality

between men and women, equal opportunity in business and the professions, and equality before the law in their personal and family relationships and in their property rights. This organization is at all times ready to support an effort on the part of any organization to accomplish these ends by means which promise progress thereto.

There has been introduced in Congress an amendment to our National Constitution, doubtless sincerely meant to assure to all women such equality. The purpose expressed by the supporters of this amendment is to establish equality between men and women in all their relations in life by one piece of legislation, which shall immediately free all women from the effect of national or State laws discriminating against them. The advocates of this method of securing equality have stated that they will continue to seek the passage of such an amendment in each session of Congress until it shall pass or until all discriminations and inequalities are removed from our laws. We may therefore expect such an amendment to be introduced in the next session of our national legislature.

The National League of Women Voters is practical. It recognizes the fact that no system of law can be built up in this Nation except by process of growth. And any new law must take into account laws and customs as they now exist, the effect of the new law upon them, and their effect upon such new law. Tested by its effect upon present laws and customs, and their reaction upon such an amendment, from a practical standpoint this organization believes that legal chaos must result—a condition far worse than the one it is designed to cure.

For the following reasons the league is opposed to such a national equal-rights amendment:

I. *No definition of equal rights.*—The lack of an established interpretation by law of the term "equal rights" makes it impossible to gauge the field covered by such an amendment as is proposed in the interest of equality between men and women. In some courts it has been held to include privileges and immunities, by others to exclude them, and there have been all shades of interpretations between these extremes. There can, therefore, be no adequate consideration by Congress before its passage, and no basis upon which the State legislators could justify a vote in its favor.

II. *No standard.*—In order to express equality of men and women there must be a standard fixed. In the amendments as heretofore presented, there has been nothing to indicate what shall be taken as a standard, and the amendments were, therefore, meaningless, and passage would have meant endless litigation.

AN EXAMPLE

In Delaware men have the common-law right of curtesy; women have a dower right. This means that a husband has a greater right in his wife's property than his wife has in his.

Assume the passage of the last amendment presented to Congress, which reads:

"Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction.

"Congress shall have power to enforce this article by appropriate legislation."

Does this mean that a wife shall have a right of curtesy in her husband's real estate, or is the husband reduced to the present straits of his wife?

Or perchance this amendment entirely wipes this law out of existence, leaving neither husband nor wife with any right in each other's property.

Oh, marvelous equality, the wives can then continue to care for their homes and babies while the husband accumulates the family property in his own name, and, if he feels like it, leave his wife and family nothing when he dies!

But, you say, Congress can change all this by "appropriate legislation."

The supporters of this amendment have pointed out that there are discriminations in almost every branch of our law in the several State jurisdictions. Does such an amendment mean that Congress shall take over the power to legislate on all these matters which through the whole history of our national organization have been matters wholly within the local jurisdiction?

Section 8 of Article I of our Federal Constitution provides the powers granted to Congress. It has been only after careful and long debates that the effect of this section has been changed by amendments to the Constitution

in any single particular, and yet such an equal-rights amendment presents a possibility (yes, a probability) of construction, which would extend the jurisdiction of Congress to almost every field of legislation (possibly not by direct legislation, but by interference), along lines wholly undreamed of, and which could not be considered by Congress or the State legislatures in passing such an amendment.

There is but one body which could finally determine these questions. That is the Supreme Court of the United States.

And having settled the questions suggested above, the court would have taken its first baby step toward straightening out the legal tangle created by the amendment.

But suppose it does mean that women's rights shall conform to the rights of men as they now exist, as is assumed by many advocates of the amendment, or that the amendment is changed to read that women shall have rights equal to those of men, we can not escape from the fact that this amendment takes effect throughout the United States. If men and women must have equal rights throughout the United States, which State shall set the standard? No two States have the same laws governing these relationships. If the laws of Delaware concerning dower and curtesy are wiped out, leaving no rights in husband or wife in the property of the other, does the fact that Illinois law provides an equal interest for husband and wife in each other's property create a discrimination as between the husbands of Illinois and the wives of Delaware, and vice versa, so that the amendment acts upon them? Does the amendment then also wipe out Illinois law? And in how many other States would the property rights of husband and wife be wiped out?

The Supreme Court of the United States alone could answer these questions.

And having answered them, perhaps another infant step toward adult equality would have been taken.

Congress, then, having no power to pass legislation providing the property rights in the States, and no power to coerce such action in the State, how could such a uniform law as would comply with the requirements of this amendment be secured in the 48 States?

Only a few of the many possible questions upon which the Supreme Court would have to pass during the course of the years are here suggested:

Could wives legally claim support from their husbands?

Could State laws establish different rules concerning penal institutions for men and women?

How will appropriation bills for the promotion of the welfare and hygiene of maternity and infancy be affected, if at all?

Would women be subject to conscription on the same basis as men?

How would the age of majority be affected?

Would fathers be jointly liable with mothers for the support of illegitimate children?

What effect would the amendment have upon laws restricting hours of labor for women?

Would laws providing for special accommodations for women workers be affected?

Would the amendment establish a joint headship of the family in husband and wife?

Would the marriageable age have to be identical for men and women?

How would the amendment affect the laws governing penalties for sex offenses?

And yet the advocates of this amendment support it upon the basis that it creates a speedy method of effecting equality.

III. *Effect upon protective legislation.*—For 25 years women of vision and real sympathy have been working to place laws upon our statute books protecting women in industry. Women do work at a disadvantage in most industrial institutions, and such protective measures are based upon a sound foundation of need, and an effort to protect men and women of the coming generation. It is very generally the consensus of opinion of the lawyers of this country that such an equal-rights amendment would strike every bit of such protective legislation from our laws. The league is by no means opposed to protective legislation for men where it meets a real need, but it is not necessary to step backward 25 years by removing such protection as women now have, in order to see that such disadvantages as now exist in the case of men are set right.

IV. *Discrimination against women in their right to labor.*—We are told that the law in Ohio prohibits women working as railroad switchmen; that the laws of Illinois will not permit women to work in mines, and that nearly every other State has some such discrimination.

THEY ALL DIFFER

Must Pennsylvania suffer chaos in its laws for a generation or more because Ohio women can not act as railroad switchmen, and must California be subjected to the effects of endless litigation because the women of Illinois can not work in mines or on the roads? Surely the women of no State need the protecting hand of the National Government where that Government in the very course of its benevolence inflicts injustice upon those sister States who, in that particular matter, happen to be more advantageously situated.

V. *The amendment would retard State legislation.*—A national amendment involves passage through Congress and subsequent ratification by three-fourths of the States. This means a campaign in our National Legislature and a further campaign in each State. There can be but one excuse for seeking equality by this method; that is, the belief that the method is a time-saver in establishing equality as a national principle or that the method of securing such legislation by States has failed. This latter excuse can not be offered, for during the period of three years 420 bills in 45 States were passed directly contributing to an improvement in the status of women and children. Every indication is that ratification can only come after a severe struggle in each of the States. And what will our legislators say in the meantime? They could justify only one position. They must say:

"We will not consider specific legislation to bring about equality while this blanket effort is before us, because in the event that it should pass our time would be misspent."

The league will not take the position of saying, "All or nothing," especially when it is apparent that it would get nothing in any event.

VI. *There is a better and surer method.*—The States have it within their power to pass legislation which will establish an actual equality with a minimum interruption and interference with present laws and conditions. The women in each State are in better position to understand their own needs than is any group from the outside. It is their task, and it is gradually being accomplished. The league stands ready to help in every possible way such local effort, such a method of procedure is in entire conformity with the structure and organization of our Government, and proof has already been given that equality can be established, since in many matters in many States it has already been done, without any of the ill effects which must follow blanket legislation.

Among other organizations opposing the blanket amendment are: American Federation of Labor, American Home Economics Association, American Federation of Teachers, General Federation of Women's Clubs, Girls' Friendly Society in America, Medical Women's National Association, National Council of Catholic Women, National Consumers' League, National Council of Jewish Women, National Council of Women, National Women's Trade Union League, and Nation Board of the Young Women's Christian Associations.

PENNSYLVANIA LEAGUE OF WOMEN VOTERS (INC.),
Philadelphia, Pa., February 14, 1924.

MY DEAR CONGRESSMAN GRAHAM: As there appears to be considerable confusion regarding the identity of the organizations supporting and opposing the so-called blanket amendment, I have been requested by the board of directors of the Pennsylvania League of Women Voters to explain to Pennsylvania representatives in Congress that the term "equal rights" while plausible is misleading, because the proposed amendment may endanger much of the valuable protective legislation for women which has been written into our statutes after long and arduous work. Eleven large national organizations are opposed to the passage of this amendment and we want you to know that the League of Women Voters is one of these.

Sincerely yours,

LUCY K. MILLER, *Chairman.*
(Mrs. John O. Miller).

Mrs. SHERMAN. Our next speaker, Mr. Chairman, is Miss Mary Anderson, Chicago, Ill., Director of the Women's Bureau of the United States Department of Labor.

STATEMENT OF MISS MARY ANDERSON, DIRECTOR OF THE WOMEN'S BUREAU, UNITED STATES DEPARTMENT OF LABOR

Miss ANDERSON. Mr. Chairman and members of the committee, I have for 18 years worked in a shoe factory, doing piecework, right at the bench, working 9 and 10 hours a day and, therefore, I feel, from the point of view of an individual, that I know something of what it means to work long hours in a factory and to work for low pay.

Sinc I have been Director of the Women's Bureau of the Department of Labor, we have made a great many studies through the bureau in regard to women in industry. The bureau is concerned primarily with that question. As a bureau we have two functions to perform. The one is to create standards and policies for their effect on the employment of women in industry, and the other is to investigate and find out under what conditions women are now employed. Those are our functions in the Women's Bureau, and my testimony here to-day will d al with labor laws.

By far the largest group of laws that will be affected by this amendment are the labor laws in behalf of women.

With the exception of Florida, every State has some law affecting the conditions of employment of women. It is estimated that nearly 4,000,000 women are covered by such laws.

The experience of the Women's Bureau has been that the conditions under which women work are definitely better in those States that have established good legal standards than in those States where standards are low or utterly lacking. It has not been our experience that those laws have kept women from obtaining employment or from advancing in their chosen field.

Yesterday afternoon, for example, I received this resolution from Los Angeles, a local of the United Garment Workers of America, and I want to read this resolution and ask permission to file it later. [Reading:]

> Whereas the working women of California have enjoyed the protection of the legal 8-hour working-day and the 48-hour week since 1911, and also a legal minimum wage since 1913; and
>
> Whereas we have found this legislation to be most valuable to the mental and physical welfare of the women workers of the State of California, and in no case has it been a handicap to our economic advancement: Be it therefore
>
> *Resolved*, That we, the United Garment Workers, Local No. 125, of Los Angeles, Calif., representing approximately 800 women, earnestly petition the Judiciary Committee of the United States Senate—

This was sent to Senator Ernst and another was sent to me—

> * * * to prevent the passing of the so-called equality amendment; and be it
>
> *Further resolved*, That a copy of this resolution be forwarded to Senator Richard P. Ernst, chairman of the Judiciary Committee, and to Miss Mary Anderson, Director of the Women's Bureau of the Department of Labor.
>
> LAURA BAILEY, *President.*
> PAULINE SADLER, *Recording Secretary.*

Mr. SUMNERS. May I ask you a question just at that point?

Miss ANDERSON. Yes.

Mr. SUMNERS. Suppose under that constitutional amendment if adopted Congress should have power to establish such desirable working conditions for women in those States where they do not enjoy such desirable working conditions; do you then regard that a proper method of procedure would be through Congress, instead of wasting time, as some seem to think, by proceeding in the several States?

Miss ANDERSON. I doubt very much if Federal legislation on this subject would be considered constitutional. For example, the United States Supreme Court has ruled that two child labor laws were unconstitutional.

Mr. SUMNERS. If you will pardon me, that had to do with the constitutionality of a statute, the statute being held unconstitutional under the Supreme Court's construction of the statute. Now, here is a proposed constitutional amendment that gives Congress, I assume, the right to establish uniform laws throughout the country. I would not say "I assume that," but for the purpose of this presentation, if we should assume it, then what do you say?

Miss ANDERSON. As I understand it, this amendment says there shall be equality between men and women, or there shall be equal legal standards for men and women. In that case, all these laws in every State in the Union, that is, practically all but one State, the labor laws for women that are different from those applying to men, would be wiped off the statute books.

Mr. SUMNERS. But this constitutional amendment does not propose there shall be equality in each of the States, as States, but proposes there shall be equality in the whole United States—dealing with the United States as a whole, without regard to the States?

Miss ANDERSON. That, it seems to me, will wipe off the State laws just the same.

Mr. SUMNERS. And might give to Congress the power to put in some new laws uniformly applicable everywhere and even to establish the standard of uniformity.

Miss ANDERSON. That would mean, of course, to legislate for men and women alike.

Mr. SUMNERS. Yes.

Miss ANDERSON. It would mean, of course, Congress could legislate, for example, an 8-hour day for men and women throughout the United States.

Mr. SUMNERS. Would not you desire that?

Miss ANDERSON. Yes.

Mr. SUMNERS. If that would be possible?

Miss ANDERSON. I think it would be very desirable, but I doubt whether it could be done.

Mr. SUMNERS. Then would you desire a constitutional amendment which would make it possible?

Miss ANDERSON. I doubt whether that could be done at all.

Mr. SUMNERS. I am talking, now, just for the moment, on the question of desirability as a matter of governmental policy. Do you favor, as a matter of governmental policy, if the Judiciary Committee, in examining this proposed constitutional amendment,

should decide it would give Congress the power not only to establish uniformity throughout the United States, but to enact a Federal code which would make certain such uniform standards, would you then favor the amendment?

Miss ANDERSON. It seems to me the present trend of Federal legislation has given us a warning that Congress should proceed slowly in that matter. In the first place, I doubt very much whether the States would ratify a constitutional amendment as vague as this is; and, in the next place, it seems to me the trend in labor legislation in the United States to-day is not toward passage of such laws by Congress; the trend is more toward the enactment of such legislation in the States.

Mr. SUMNERS. Pardon me just a minute, but you say you doubt if the States would ratify this amendment. Is your opposition to-day on that score? Are you afraid the States would not ratify it, or because you do not favor it?

Miss ANDERSON. Well, I do not favor it, because I think it will hurt labor legislation for women now in effect.

Mr. SUMNERS. I want to get your opinion generally. Do you believe, then, the best method of approach under our system of government is through the several States, and not from the Congress down?

Miss ANDERSON. I believe so.

The CHAIRMAN. Are you through, Mr. Sumners?

Mr. SUMNERS. That is all.

The CHAIRMAN. Proceed, Miss Anderson.

Miss ANDERSON. Every State but one State of the Union has enacted some law specifically applying to women workers alone. Some of the laws provide for eight hours a day, some of them eight and a half, some of them nine hours a day, and some of them apply to minimum wage.

The necessity for labor laws for women is emphasized in the reports upon investigations by the women's bureau as to wages and working hours of women in various States. It is commonly known that women wage earners work much longer hours and get much lower wages than do men workers, chiefly because women are not able to bargain so successfully as men. Also, since so many women wage earners are forced to perform two jobs—one industrial, the other domestic—it is necessary for the health and protection of the worker herself and her family that some standards in industry be maintained to lighten the burden of her two jobs.

The benefits of those laws are not only to the women workers themselves, but they affect the home as well. For instance, if there is a shorter workday, for example, an eight-hour day, the woman in the home, the mother in the home, does not have to get up so early in the morning and she can have a little earlier dinner at night, so that her hours in the home are shortened as well as the hours of the workers that are in the factories.

Mr. HERSEY. Let me ask you a question.

Miss ANDERSON. Yes.

Mr. HERSEY. If this legislation should pass and be ratified by the States, we now find labor laws in the several States on the matter of hours of labor, to which you are addressing yourself now——

Miss ANDERSON. Yes.

Mr. HERSEY (continuing). Where the men have a right to labor a longer time than the women. Would not the effect of the amendment be either to cut the man's hours down or to raise the women's hours up?

Miss ANDERSON. The effect on the labor laws in the States, in respect to that question, has been that, for instance, in Massachusetts—when they passed the 48-hour week law in the State—the effect was that the men employed in the same factories where the women worked were permitted to come under the 48-hour standard along with the women. But the fact is that the basic industries of the country, such as the building trades, the mining industry, the steel industry, etc., are now rapidly going under an eight-hour day, all of those being industries in which practically no women are employed and yet in which the eight-hour day prevails. If we contrast these industries with the textile industry in the South, particularly, we find that in the latter women work 10 and 11 hours a day; and again, if we contrast these industries with the canning industry, the box-making industry, we find in these last-mentioned industries, which we generally call the women-employing industries, longer hours prevailing. So that the matter of labor legislation in the different States is really a question of standards—of bringing up the women to somewhere near where the men are to-day.

Much was said yesterday about women losing their jobs because of this labor legislation. We compared two States from the census data; we compared California with Indiana. California has had the eight-hour day and the minimum wage legislation since 1911 and 1913, and Indiana has practically no legislation for women, and those two States are similar in regard to the products, population, and types of industries. We found that the women had increased in the industries in both States, but that they had more rapidly increased in the State of California than they had in Indiana; but that was due chiefly because the industries had increased in California more rapidly than in Indiana. This fact shows that the expansion of industry, and not labor legislation, is the deciding factor in the increase of the employment of women as well as of men.

One question yesterday was in connection with the Rapid Transit Co. of New York City. In the Rapid Transit Co. during the war many women were employed, and just as soon as the armistice was signed the company began to discharge the women, and every month they discharged a greater and greater number. The law that affected the women on the Rapid Transit Co. was not introduced in the General Assembly of New York State until March; so that it was not the law but the after-the-war conditions that were responsible for general reduction of the women in the Rapid Transit Co.

Another question was that New York amended the night work law to exempt from the law the women in the printing trades. After that law had gone into effect, an investigation was made by the division of women in industry of the New York State Department of Labor to find out how many women had taken advantage of the exemption, and they found out that just eight women in New York City had been employed on night work since they had been permitted to do so by law.

Mr. WELLER Let me ask, right at that point, did you also examine whether or not the statistics showed that there were several thousands of women, two or three thousands of women, who were also affected by not being permitted to work after 10 o'clock at night in the ice cream parlors and in other lines of employment where women could work—in restaurants, amusement places, and so forth?

Miss ANDERSON. We did not make that investigation; the division of women in industry in New York State Department of Labor made that investigation.

Mr. WELLER. Well, what did you find?

Miss ANDERSON. I do not know whether the woman's division made an investigation of the women in ice cream parlors, and so forth. I have heard it said that the discharge of women from these various establishments was not proven by facts.

Mr. SUMNERS. While you are on that point, to make the record clear, what was the statement as to the number of women who had been compelled to disassociate themselves from that character of employment?

Miss ANDERSON. I understand that the statement yesterday was that there were at least 5,000.

Mr. SUMNERS. Yes; I am not asking you for that; I heard that statement. What I am asking for is the statement made to you, to which you refer.

Miss ANDERSON. The women's division in New York made the statement that they had no facts to warrant saying that 5,000 had been discharged in New York.

In conclusion, I just want to say that the opposition to the equal rights amendment to the Constitution comes form a well-founded conviction that all labor legislation would be endangered by its passage and that like legislation will be barred in the future. The amendment itself can not take the place of these laws, and is only the enunciation of a principle and will have no effect when it goes in force, either on the equality in pay or the shorter work day for women. Instead, it is likely to take away those safeguards which, in reality, are a method of raising the standard for women so that economic equality will be a relaity.

Mr. FOSTER. Are you going to ask leave to file what you have there?

Miss ANDERSON. Yes; I am going to ask if I can file the statement.

The CHAIRMAN. What do you mean by is she going to ask leave to file that statement? Is that a copy of your address, Miss Anderson?

Miss ANDERSON. Yes.

The CHAIRMAN. Of course, the address has been taken down stenographically and, if you wish to correct it before it is printed, why there would be no objection to correcting it to conform with your paper; but to publish this, also, would mean an expense of doing the work twice over.

Mr. FOSTER. What I had in mind was this: I saw you passing over several papers and I wondered if you had eliminated any statements which you would like the committee to have.

Miss ANDERSON. I would like to file this resolution.

The CHAIRMAN. Very well.

(The resolution is as follows:)

Whereas the working women of California have enjoyed the protection of the legal eight-hour working day and a forty-eight hour week since 1911 and also a legal minimum wage since 1913; and

Whereas we have found this legislation to be most valuable to the mental and physical welfare of the women workers of the State of California, and in no case has it been a handicap to our economic advancement: Be it therefore

Resolved, That we, the United Garment Workers, Local No. 125, of Los Angeles, California, representing approximately eight hundred women, earnestly petition the Judiciary Committee of the United States Senate to prevent the passing of the so-called equality amendment; and be it further

Resolved, That a copy of this resolution be forwarded to Senator Richard P. Ernst, chairman of the Judiciary Committee and to Miss Mary Anderson, Director of the Woman's Bureau of the Department of Labor.

LAURA BAILEY, *President.*
PAULINE SADLER, *Recording Secretary.*

Miss ANDERSON. And the statement also, if I may. I omitted a great deal of it in speaking.

The CHAIRMAN. But that is a duplication.

Mr. HERSEY. She said she omitted some statements. It might be given to the reporter and let him correct his notes.

The CHAIRMAN. No; I do not think we ought to do that. That prolongs the record and multiplies it unnecessarily. You may file your statement with the committee.

Miss ANDERSON. Yes.

Mr. MICHENER. You are connected with the Department of Labor?

Miss ANDERSON. Yes.

Mr. MICHENER. Do you speak officially in any way for the Department of Labor in opposing this amendment?

Miss ANDERSON. I speak officially in giving facts along the lines of labor laws.

Mr. MICHENER. But as to the policy——

Miss ANDERSON. As to the policy, we are opposed to the amendment because in the law creating the Women's Bureau we are charged with the responsibility of establishing standards and policies for the employment of women, which we feel would be endangered by this amendment.

Mr. SUMNERS. If this constitutional amendment were passed and Congress should effectuate it fully, why would not you have more power, under which you could establish all these things practically everywhere?

Miss ANDERSON. We are very doubtful about being given such power.

Mr. SUMNER. All right; I won't press it.

Mrs. SHERMAN. Mr. Chairman, our next speaker is Miss Anna Neary, of Baltimore, Md., of the American Federation of Labor.

STATEMENT OF MISS ANNA NEARY, BALTIMORE, MD., AMERICAN FEDERATION OF LABOR

Miss NEARY. Mr. Chairman and members of the committee, I am going briefly to state to you the stand taken by the American Federation of Labor on the blanket amendment, and I have a brief with me which is very short, giving the action of the three recent conventions of the American Federation of Labor held in 1922, 1923, and 1924, entitled "Women in Industry Endangered."

First, I want to say that when this particular bill was presented—that is, when it was reported to the first convention that a constitutional amendment was being urged by the National Woman's Party—Mr. Gompers, our late leader, protested against the amendment, as it would have had the effect of repealing all the protective laws for women in industry. He held several conferences with the representatives of the National Woman's Party who stated they were willing to accept an amendment that would protect women in industry. This was found to be impossible, as a constitutional amendment could not contain such reservations. Hence the American Federation of Labor's stand at that time at that convention in 1922, and the following convention in 1923, at which the following resolution, if I may read it, was adopted. The following resolution was adopted at the Cincinnati convention in 1922:

Whereas the enactment of the law granting the right of suffrage to women does not carry with it in all States all other political rights and there are on the statute books various laws discriminating against women as to property rights, guardianship rights, naturalization rights and other rights now guaranteed to men; and

Whereas the American Federation of Labor has long advocated political, civic, and economic equality for women; Be it

Resolved, That this convention therefore declare itself in favor of the removal of all discriminations against women and advocates specific laws to this end; and be it

Further resolved, That we disapprove and oppose all blanket legislation for this particular purpose, because such legislation is necessarily drawn in general terms which must be subject to judicial construction and therefore place in jeopardy labor laws in effect for women.

The following year, 1923, accordingly, the American Federation of Labor reiterated its stand on the proposed amendment, and at its last convention, just held recently in El Paso, in 1924. Just briefly I will read you the report of the committee. In that portion of the report of the executive council, under the caption, "Women in Industry, November 17–25, 1924, page 73, the committee reported as follows:

The executive council is commended for its opposition to the so-called blanket amendment which would break down protective legislation for which labor has long fought. A continuation of this vigilance against this vicious legislative proposal is recommended by your committee.

This action was adopted unanimously just about three months ago in convention of the American Federation of Labor.

For your information, Mr. Chairman, I desire to leave with you and to say that, as you understand, we are not opposing the bill other than from that stand taken by the American Federation of Labor. We stand for eliminating laws now that are discriminating against women in the various trades. Our legislative committees are being urged to assist in the various States where legislation is pending which will remove these conditions, and I just want to say that that is our stand, and we will continue to take that stand, feeling that the working women of the country—not only feeling but realizing that the working women of the country—have been benefited by legislation. While we feel that it is not what it should be in any of the States, while California and just a few of our States may have to-day enacted progressive legislation, to us it is not ideal, nor is it what the workers could have secured through their respective organizations.

I want to say this, Mr. Chairman, just briefly, that yesterday you had a statement from a lady from New York, speaking for the working women in New York and Brooklyn, claiming that so many of the women lost their positions on account of labor legislation. I happen to be a member of the printing trades, having spent most of my life in the printing offices of my home town, and have been a member of an organization that has improved the labor conditions through our organization and that has reduced the workday and has established a minimum wage. I want to say that the statement made by Miss Anderson, of the few women who were affected in New York City by the abolition of night work, is true. We realize that machinery coming into industry, as it is at the present time, is lessening the opportunity for employment and I believe that the lady really overlooked the fact, in stating the number of people who were thrown out of jobs on account of protective legislation, of the new devices which have come into her particular industry in New York City, into the rapid transit—that is, in the selling of tickets—we all know they have been displaced in New York recently by a new slot machine in the subway, which has been the means of replacing so many women formerly engaged in selling tickets and collecting tickets, and we realize that thing itself has displaced many more women than any protective legislation enacted would have done. So that we feel we must keep pace with progress, with machinery, and we realize fully the necessity of reducing the hours of work and particularly we feel, as organized workers, that our activities should not be confined to our own particular group. We can not be selfish, because we realize the vast number of unorganized women who, as individuals, are not in a position to speak for themselves. Their position is in jeopardy the minute that they resent conditions and, as organized workers, we too wish to reach out and to help. And in backing up labor legislation in the various States, while it is not our ideal, we feel it is the best means of protecting the American working woman, and the American Federation of Labor has and will continue to oppose the legislation on the ground I have stated: that is, solely on the ground of the danger to the working women of our country.

Mr. SUMNERS. From your viewpoint, do you regard the trend in the States as being toward the solution of the problem which you have had in mind, or in the contrary direction?

Miss NEARY. Mr. Committeeman, I do. I know from the results in my own State and I know from having had an opportunity to be associated in labor legislation—that is, in the enactment of it in the various States—that the desire is in the States to improve. While we are having difficulties and meeting many problems, have many obstacles in our way, we feel that the trend is, by the workers and the public being more enlightened to the necessity for improved conditions in industry toward a solution of the problem.

Mr. SUMNER. May I ask you another question?

Miss NEARY. Yes.

Mr. SUMNER. Do you regard, from your experience, that the fight which the people make in the several States to improve conditions tends to give you the attitude of public opinion and public interest which is valuable in the general cause in which you are engaged?

Miss NEARY. Yes; we do.

Mr. SUMNERS. You develop local leadership and local interest, I assume, in the struggle you make in the States?

Miss NEARY. Yes; we do. We are endeavoring to do that constantly—to develop leaders.

Mr. WELLER. Well, are you organized in each State; are the women organized in each State?

Mr. SUMNERS. Just wait a minute, please.

Mr. WELLER. Oh, pardon me; I thought you were through.

Mr. SUMNERS. No; I was not. I just want to ask one other question.

Miss NEARY. Yes.

Mr. SUMNERS. And that it, from your experience, having had to do with legislation such as you have had reference to, do you regard as more valuable the development of local opinion and local sentiment than the element of speed in getting a law on the statute books through the National Government?

Miss NEARY. Absolutely.

Mr. SUMNERS. What is your view on that? Will you just state it briefly, there?

Miss NEARY. My view of public opinion at the present time regarding improved conditions, as compared with speed?

Mr. SUMNERS. Yes; take the two. Would you rather speed up legislation and sacrifice, to some degree, or to an appreciable degree, the development of public opinion which results from the fight in the States to bring about improved conditions, or would you rather move a bit slower, a little bit safer progress?

Miss NEARY. Well, Mr. Congressman, candidly speaking, I would like to see slow, sincere, progress made by the workers themselves.

Mr. SUMNERS. Well, they would have to have public opinion behind them?

Miss NEARY. They would have to have public opinion behind them, but public opinion does not amount to anything unless you endeavor to do something for yourself. The public is not going to do something for you or to endeavor to do it unless you first endeavor to do it for yourself.

Mr. SUMNERS. But do you not have to have public opinion in the States to support your organizations?

Miss NEARY. We have to have it; we are endeavoring to have it, but we are at such a great disadvantage, Mr. Sumners, in the misrepresentation which molds public opinion.

Mr. SUMNERS. Yes.

Miss NEARY. That is one of the difficulties we have—the newspapers and various agencies which endeavor to misrepresent our methods very often, in our endeavor to improve conditions.

Mr. SUMNERS. But finally you do lick them through the help of the people and organization of the people?

Miss NEARY. We lick them through the help of the people.

Mr. SUMNERS. I think that is not a good word; I will ask to take that out.

Mr. WELLER. I was about to ask you, when Judge Sumners called my attention to the matter, is the American Federation of Labor

and the women's department thereof organized in each one of the States of the Union, so that each State legislature is followed in the course of its sessions as to women's legislation?

Miss NEARY. You mean to follow the legislation, proposed legislation, in the various States?

Mr. WELLER. Yes.

Miss NEARY. Yes; we do. We have State federations of labor and legislative representatives in every State of the country to watch legislation pertaining to the workers of the country.

Mr. WELLER. Let me make myself clear. The organization that was here yesterday, the National Woman's Party, said that in 40 States they had organized women's committees, in which there were a great many women enrolled in the work—that they had fully organized in 40 States out of 48 States. Now, is the American Federation of Labor similarly organized with reference to women and women's legislation?

Miss NEARY. No, Mr. Chairman; women are not organized separately under the American Federation of Labor, nor have we a committee of women working in the interest of legislation. Through the general organization and through the State federations and central labor unions we have legislative committees appointed.

Mr. WELLER. But not women's committees?

Miss NEARY. No; not women's committees. When it is necessary for the women to be called in we have had working women called to speak in defense of or opposition to legislation.

Mrs. SHERMAN. I understand the next speaker on the program, Miss Elizabeth Christman, Chicago, Ill., secretary-treasurer of the National Women's Trade Union League, is not able to be present, and I will ask Miss Ethel Smith, legislative secretary of the National Women's Trade Union League, to speak in her place and for the organization.

STATEMENT OF MISS ETHEL M. SMITH, NATIONAL SECRETARY OF THE NATIONAL WOMEN'S TRADE UNION LEAGUE

Miss SMITH. Mr. Chairman and gentlemen of the committee, Miss Christman, our national secretary-treasurer, who was unable to come to-day, has asked me to read to you a statement on her behalf. I would like to state that Miss Christman, in addition to being the national secretary-treasurer of the National Women's Trade Union League, is secretary-treasurer also of the International Glove Workers' Union and was herself a factory worker for a dozen years in a glove factory. This is Miss Christman's statement:

> The National Women's Trade Union League is a federation of trade unionists and their allies. Affiliated with it are most of the national trade union organizations having women members that are affiliated to the American Federation of Labor, and the league has also a membership of nontrade unionists who accept the trade union platform. Our point of view and policies are therefore essentially the same as the policies of the American Federation of Labor, our special function being to deal with the problems of working women. I may say also that before suffrage was granted to women we were one of the organizations which worked for woman suffrage, and we cooperate now with many women's organizations in current movements for the advancement of women, political, economic, and civic.

With your permission I shall endeavor to put before you the point of view of the National Women's Trade Union League on the subject of the so-called equal rights amendment to the Federal Constitution which has been proposed by the National Woman's Party. In repeated resolutions by our national governing body and in various legislative conferences our organization has officially expressed itself in definite terms against the Woman's Party proposal.

We stand emphatically for equal rights, equal opportunity, and equal pay for women and men. We agree that the women of Ohio should have the right to be taxi drivers or to open a shoeshining parlor if they want to, but we do not believe that in order to give this right to the women of Ohio we ought to take away the 48-hour law for women in Massachusetts, and the hour laws in 42 other States.

We believe that women should have the right to jury service, and apparently the so-called equal rights amendment would give them such a right in 20 States where they do not now possess it. But we do not think that to give the women the right to serve on juries in 20 States it would be sensible or just to throw into court the mothers' pension laws of 39 States.

The Woman's Party amendment would endanger labor laws now directly affecting about 4,000,000 wage-earning women, and indirectly affecting all women in gainful occupations. The number of women affected by the mothers' pension laws we do not know, but we do not believe that the country would be justified in taking the risk involved in this amendment for millions of wage-earning woman and an unknown number of mothers, in order to enable a few women to become taxi drivers, bootblacks, and jurors. Especially are we opposed to any such risk when we know that the same ends could be obtained without taking the risk.

The National Woman's Party, however, propose to take just exactly those risks, and many more—risks due to the fact, first, that this is an amendment to the United States Constitution, and would invalidate automatically all laws in conflict with it without automatically replacing most of them; risks due in the second place to the fact that blanket provisions in law, whether in the Constitution or in statutes, require court interpretation in each case, and the terms "rights" and "equal rights" are subject to diverse and adverse construction. Last, and not least, the risk is due to the fact that legal rights and economic rights are not by any means identical. Legal equality is not necessarily the same as economic equality. It may actually defeat economic equality.

For example, the woman in industry is working, say, in a State with an 8-hour law for women, passed because women had been working much longer hours. The man-employing industries of that State, however, are probably on an 8-hour schedule established by their unions. The 8-hour law and the 8-hour trade agreement both limit the worker's freedom of contract. But the law would probably be destroyed by the so-called equal rights amendment, because the legal rights of women are restricted thereunder but not the legal rights of men. In other words, to give the women legal equality with the men, the amendment would take away the 8-hour day from the women but not from the men.

This may be legal equality. But economic equality it certainly is not.

Trade-union women object to the wholly gratuitous risk the National Woman's Party would compel them to face through such blanket legislation as they propose. The very number, variety, and complexity of the discriminations against women which they cite, and most of which we recognize, are to our minds proof that it is only by well-thought-out, specific legislation, or other form of remedy, that the discriminations against women in political, civic, or industrial life can be removed. There is no constitutional bar to their removal at present. Moreover, were the Woman's Party amendment a part of the Constitution to-day it would still be necessary to secure the specific remedies, either by legislative enactment or otherwise, which can now be obtained without this constitutional amendment. The States and Congress now have the power the amendment would confer. Why take a gratuitous risk?

Mr. Chairman, I would like to add to this statement by Miss Christman a brief quotation from a statement published in the official organ of the British Labor Party, or rather the woman's division of that. I would like to do this because so many times it has been stated in public by woman's party speakers that the labor party and the labor movement of Great Britain are opposed to the kind of industrial legislation for which we stand. The official organ of the

labor party, the women's official organ of the labor party, called The Labour Woman, in its issue of January 1, 1925, has an article, three short paragraphs of which I ask permission to read into the record:

There have been several attempts recently to breathe life into the dead controversy on the matter of legislation for workers.

In our August number we published a statement making clear the position of the Standing Joint Committee of Industrial Women's Organizations with regard to this subject. Since that time, however, the ultrafeminists have gone on with their agitations and have endeavored in vain to persuade the executive committee of the League of Nations' union to accept their line of opposition against the ratification of the Washington and other international labor conventions concerning women's employment.

The trade-union movement has always supported protective legislation in the shape of factory acts, not on the grounds of sex but because it has desired to get better conditions of work for every grade and class of worker. This has often meant, in effect, supporting legislation dealing with women only or young persons only, but it has been indorsed by men and women in the trade-union movement because to get improved conditions for some is better than getting them for none, and because the weakest need protection most. Moreover, the standard set by law for one section serves practically as a standard for all, and all benefit thereby.

The labor party, too, especially through its women's conference, has always demanded legislation having for its object the improvement of working conditions. Indeed, it is true to say that within the trade-union and labor movements of this country there are no two opinions about the matter.

I ask leave also to file resolutions that have been sent to me by the officers of organizations that are affiliated with the American Federation of Labor and with the National Women's Trade Union League. I have a letter from the president of the International Ladies' Garment Workers' Union, dated February 3, transmitting a copy of the resolution adopted at its last convention, and asking me to present it here. The resolution takes much the same ground I have stated as an objection to this amendment. And I would like to call attention to the fact that this union has practically a 50 per cent membership of women and is one of the largest groups of women workers in the United States.

Mr. PERLMAN. Will you read that letter from Mr. Sigman. I am interested in it.

Miss SMITH. It is merely a letter of transmittal. He says:

MY DEAR MISS SMITH: May I call your attention to the resolution inclosed, which was adopted at the annual convention of the National Garment Workers, May 5 to 17, inclusive?

I want to ask you to submit this resolution to the Judiciary Committee of the House of Representatives at the hearings which it is to hold.

I am sorry that we find it impossible to send a representative of our organization to appear before the Judiciary Committee on Thursday to state the position of our organization on this question, but the resolution is self-explanatory.

Shall I read the resolution?

Mr. PERLMAN. I just wanted to get an idea of what the substance of it was.

Miss SMITH. I see. I have also a telegram from the president of the Order of Railroad Telegraphers, asking me to file with the committee a copy of the resolution adopted by their organization at its last convention a few months ago. He says in his telegram:

Am mailing you, special delivery, copy resolution adopted by our organization opposing so-called equal rights amendment, and authorizing you to file same with Judiciary Committee.

That has not yet come, but I have a copy of the resolution which I possessed anyhow, which I am putting in, and will substitute the official copy when the mail brings it.

(The resolution is as follows:)

COPY OF THE RESOLUTION ADOPTED AT THE SEVENTEENTH CONVENTION OF THE INTERNATIONAL LADIES' GARMENT WORKERS' UNION, HELD IN BOSTON, MASS., MAY 5 TO 17, 1924

Whereas the so-called equal rights constitutional amendment now pending before Congress will invalidate or throw into the courts for litigation the 8-hour, the 9-hour, the 48-hour, and other labor laws for women throughout the States; and

Whereas the program of the American labor movement calls for removals of discriminations against women by specific measures which will not destroy or menace labor laws for women: Therefore, be it

Resolved, That the International Ladies' Garment Workers' Union is opposed to the proposed constitutional amendment known as the "equal-rights amendment" and indorses the program of the American Federation of Labor and the National Women's Trade Union League, which calls for specific legislation in the several States.

Whereas the organized-labor movement of the United States supported the woman-suffrage movement and continues to advocate equality of the sexes as to political, economic, and social rights; and

Whereas there still remain in law, in industry, and in custom discriminations against women, especially as to property rights, wages, hours of labor, and occupational opportunities: Therefore, be it

Resolved, That the Order of Railroad Telegraphers indorses the equal-rights program of the American Federation of Labor, the National Women's Trade Union League, and cooperating organizations of women, which program calls for removal of discriminations against women by specific measures not prejudicial to labor laws for women, or other needed laws applying to women, but not applying to or not needed by men; and

Resolved further, That we oppose blanket legislation for sex equality, such as the so-called equal-rights constitutional amendment now before Congress, on the ground that it would invalidate or throw into the courts for litigation the 8-hour, 9-hour, 48-hour, and other labor laws for women in 47 States, mothers' pension laws in 39 States, and other social legislation important to the public welfare, thereby probably bringing about serious inequalities instead of the desired equality.

Mr. BOWLING. If you have finished your statement, may I ask you a question?

Miss SMITH. Certainly.

Mr. BOWLING. I hope you have given some thought to this idea I will try to present. I would like to have the benefit of your opinion as to the effect of this amendment, if adopted, on a situation like this that obtains in my own State, Alabama, which was cited here in the hearing yesterday as a discrimination in our State—the fact that upon the death of the husband the wife is vested with one-third of his estate only, her dower; that, upon the death of the wife the husband takes all she has, as an estate for life, to the exclusion of the children, and so forth. Well, now, that has been the law in my State from time immemorial; we are apparently satisfied with it. I have never heard of any real movement to amend it or to repeal it. Suppose, now, this constitutional amendment that is suggested here becomes the law of the land as a part of the Constitution; what becomes of our Alabama statute?

Miss SMITH. Well, I would say to that, sir——

Mr. BOWLING. Assuming, now, that that is discriminatory legislation?

Miss SMITH. I would say, sir, that it would be almost impossible to tell what would become of that, other than it would most certainly become the subject of litigation and that you would probably have—well, a very long period devoted to arguments in the courts, and court decisions and appeals. It seems to me a good many things are involved in that.

I believe it was also stated yesterday—I am not sure whether this was the Alabama situation or some other—that when it came to questions of the wife's property, the question of her earnings were also invoved as part of her property, and that brings us into a great maze, it sems to me, of issues requiring determination, if it is going to be a matter of judicial interpretation. I certainly think that the courts would try to apply a principle of equality as between the husband and the wife in that case, or in any of these cases. I think that, with a mechanical equality, as Miss Ludington called it, the courts might, in some instances, be obliged to make what might turn out to be a quite unjust decision. In short, I think that the only way to arrive at a fair conclusion in the matter would be to study the particular situation very carefully and legislate accordingly or determine accordingly.

Mr. PERLMAN. Do you not think that the situation presented by Mr. Bowling would require legislation simply to equalize it in the State, rather than litigation?

Miss SMITH. Well, I am not a lawyer and I do not know what would be required; but the lawyers' opinions I have heard on this question have usually been in agreement at least upon one point, namely, that it would have to be adjudicated somehow; that is, the first case would come up through a protest or claim that somebody was receiving due protection under the law. That case would first go into the courts and you would get a decision there, good or bad. Perhaps there would be an appeal. Then the legislature might have to adjust the law later on, and probably would. But the point at which the legislation would come in might be rather remote, I should say; I mean, after a considerable length of time. In the meantime, the operation of existing statutes would be suspended.

Mr. PERLMAN. Legislation could be enacted immediately, could it not; that is, you could enact legislation immediately after the adoption of the amendment?

Miss SMITH. If the legislature were in session and if the legislature, or at least a majority, were agreed upon exactly what they would enact. I understand in New York there has been a considerable difference of opinion as to bills that have been before the legislature there on such questions as this.

(The following resolution presented by Miss Smith is printed as a part of the record:)

LEGISLATIVE HEADQUARTERS,
Washington, D. C., December 14, 1923.

Hon. GEORGE S. GRAHAM,
House of Representatives:

The National Women's Trade Union League of America respectfully asks you not to support the constitutional amendment proposed by the National Woman's Party. The amendment reads: "Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction."

We oppose this amendment because, as a federation of working women and their allies, we are deeply concerned for the preservation and improvement of industrial standards such as the 8-hour day for women provided by some State laws, and the 48-hour week, or the 9-hour or 10-hour day that other States provide.

Forty-four States have laws of this character, affecting directly or indirectly nearly 9,000,000 wage-earning women—laws representing the labor and progress of half a century. Yet all this progress, according to our legal advisors, might be wiped out at one stroke by such an amendment as the National Woman's Party proposes, because the laws in question limit the freedom of contract of women but do not apply to men.

We take the position that irrespective of the desirability or undesirability of similar laws for men, the laws applying to women are needed by women, and to repeal or invalidate them by constitutional amendment would be a destructive, retrogressive, reactionary step seriously affecting industrial standards for both men and women all over the United States.

We oppose the amendment on this ground, and likewise on other grounds some of which are set forth in the inclosed leaflet.

The amendment is, furthermore, unnecessary. Legal inequalities between the sexes can be and are being rapidly corrected by separate, specific State enactments to remove the discriminations against women. This latter is the program we advocate.

Trusting that we may have your favorable consideration, and that you will decline to support the National Woman's Party amendment, I am,

For the National Women's Trade Union League:

_____ _____

Legislative Secretary.

Mrs. SHERMAN. Our next speaker is Miss Mary Koken, of Allentown, Pa., of the industrial department of the Y. W. C. A.

STATEMENT OF MISS MARY KOKEN, ALLENTOWN, PA., INDUSTRIAL DEPARTMENT OF THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION

Miss KOKEN. Mr. Chairman and members of the committee, I represent a group of industrial women, 600,000 women, in the Y. W. C. A., 30,000 of whom are industrial women, and I am one of the 30,000, working in a silk mill weaving silk.

Yesterday, as I was listening to the talks that were given, if I had know anything at all about equal rights, I would have been convinced that that was the thing that we wanted. But the industrial women have gone underneath the surface. We know what it means to work in industry and we feel that this is not the method that should be used.

If this amendment were passed, it would take away all the protective legislation that women in industry now have. Perhaps we do not want to admit that we need protection; but it is the truth and we can not get away from it. It would mean the hours of work would not be limited. The hours in Pennsylvania now are 10 hours a day, and that is too long. I have worked 10 hours a day for a long time and I worked 9 hours a day, and now I am one of the fortunate ones who are working 8 hours a day; but there are still many, many, in Pennsylvania who are working 10 hours a day or 9¾ hours a day.

It would mean, too, that the night work would be taken away; that the protection against night work would be taken away from us. There may be a few women who prefer working nights, as the Woman's Party believe there are; but that does not say that

a majority of the women prefer working nights. Oftentimes there are poor lights. I do not say that the men should have to work at nights, either, but I do believe the women should be protected against night work, as they are protected now.

It would mean, too, that the widows' and mothers' pensions might be taken away from us. Yesterday one of the women said that men could have pensions of this kind the same as women, but I wonder whether a man would want this kind of a pension, a widow's pension or a widower's pension; if the mother died or was put into a penitentiary, I wonder if the father would like to give up his job and take the widower's pension.

A woman is not physically fit to do the work a man does and if the women in the Woman's Party could work in industry just for a few months, they would realize that. Most of them, as I understand, are women of leisure and professional women and they do not know the hard work that the woman in industry has to do. We can not get away from human nature, no matter how we try.

Then I was interested, too, in what one of the women said about the law in Ohio, which excludes women from 16 occupations, among them being bricklayers and working in quarries and mines. I wonder if they would like to work in mines and quarries and all that kind of work. Women should be protected against those things.

Then another one said that those who are opposed to the amendment are paid uplifters and social workers. I disagree with her. I am representing these 600,000 women in the Y. W. C. A. alone and we are opposed to the amendment and we are not paid uplifters or social workers.

However, we do feel that another method could be used; we propose this other method—that the inequalities be removed separately and specifically. The way the amendment reads now is too general, and we think with exceptions making possible protective legislation—if that is put into the amendment, we approve of the amendment, but not as it stands now. We, the women in industry, disapprove of the equal rights amendment as it stands now.

Mr. SUMNERS. Pardon me just a minute. What are the amendments you want put in? This committee could recommend amendments.

Miss KOKEN. That the inequalities should be removed separately. There are inequalities.

Mr. SUMNERS. Who is going to remove them—Congress or the States?

Miss KOKEN. The States.

Mr. SUMNERS. You do not have to have a constitutional amendment to do that.

The CHAIRMAN. She is not advocating an amendment.

Mr. SUMNERS. No; but I understood her to say if we removed the element of objection to this amendment she would favor this amendment. This amendment is to amend the Constitution of the United States.

Miss KOKEN. Then I believe they should be removed by the States separately.

Mr. SUMNERS. I just wanted to get that clear.

Mr. FOSTER. For that reason you are against this amendment?

Miss KOKEN. Yes; we are against this amendment.

Mrs. SHERMAN. Our next speaker is Mrs. Florence Kelley, of New York, general secretary of the National Consumers' League.

STATEMENT OF MRS. FLORENCE KELLEY, OF NEW YORK, GENERAL SECRETARY OF THE NATIONAL CONSUMERS' LEAGUE

Mrs. KELLEY. Mr. Chairman and gentlemen of the committee, I speak in behalf of the National Consumers' League, which has just recently celebrated the twenty-fifth anniversary of the beginning of its work. We do not, like the other organizations, represent a very large constituency.

Since 1907 we have been continuously employed in defending the constitutionality of labor statutes, chiefly for shortening the work hours of the women and children, and establishing minimum wage commissions. The single exception is our defense of the Oregon statute limiting the working hours of men, which we also defended successfully before the Supreme Court of the United States.

We object unanimously, the whole organization objects, through all its ramifications, by vote at the various annual meetings, to this amendment, because we do not know what it means; and being accustomed to defend statutes, we read them carefully and criticize them very actively, and we believe that, of all the statutes with which we have had anything to do, none has been so vague in its terms and so inevitably destined, if it should be adopted, to create confusion and make it very difficult to get State legislation while the adjudication on the constitutionality of this statute would be pending; and because, according to the interpretation of its proponents, and their activites, we are abundantly warned that the attempt of the proponents is to prevent further legislation for the protection of adult women in industry and to remove that which already exists.

Year after year, since this amendment first began to be discussed, before it was drafted, before it was introduced, it was the usage of accredited speakers of the National Woman's Party to appear before the New York Legislature. I have been present and I know from members of our organization that it has occurred in other States. They appear with the attorneys for the corporations interested in defeating further restrictions upon the working hours of women, and interested in preventing the creating of minimum wage commissions. The usage is for the attorneys to make very scathing and would-be eloquent speeches against the whole range of legislation of that character. After that, a speaker from the Woman's Party says, year after year, "Mr. Chairman and gentlemen of the committee, it is not our desire to abolish this sort of statutes or to prevent their further enactment. We wish simply to change two words; we wish to take out the word 'women' and substitute for it the word 'person,'" and then that kills the bill for that year. The reason it kills the bill is that men and women are so very different. They desire (and the women can now give effect to their desire by their votes) to have different legislation according to their needs. Where there is a powerful union, the union prefers to regulate its hours and wages by negotiation with employers; where there is no union or even where there is a weak union, as happened in Oregon, the men come into the legislature asking for the shortening of their own

hours of labor by statute; but that is very exceptional, and we did defend such a statute successfully.

The women are not—in the first place, they are not able to form powerful unions. The recent figures of our New York department of labor show that we have a million women working for wages in New York City; that of that million more than half are less than 25 years old. Women of that age can not and do not form powerful unions of their own which can successfully fight out the issue of wages and hours, and they prefer legislation. We insisted that that was the one reason why we fought for votes for women, in order that women in all classes and most particularly the wage earners, because they most needed it, should have the power to express their own will and their own conscience; and, if this amendment should unfortunately pass, they would lose that power and they would thenceforth, we believe, obtain only those measures for their benefit which the men at the moment wish for their own benefit. It would be a new subjection of the wage-earning women and wage-earning men which is desired by neither; neither the men nor women wish this new subjection and protest against it before the legislatures, as you have heard letters here from men's unions protesting against this subjection of the wage-earning women by an amendment to the Federal Constitution.

Those are the grounds of our objection. We adopt resolutions every year, not only at the meeting of the national organization but in their branches, protesting against this innovation.

I thank you.

Mrs. SHERMAN. Our next speaker, Mr. Chairman, is Miss Agnes Regan, executive secretary of the National Council of Catholic Women.

STATEMENT OF MISS AGNES G. REGAN, WASHINGTON, D. C., EXECUTIVE SECRETARY OF THE NATIONAL COUNCIL OF CATHOLIC WOMEN

Miss REGAN. Mr. Chairman, I represent the National Council of Catholic Women, which has organizations, including 13 national organizations, affiliated and local organizations, throughout the length and breadth of the country. This organization at its national convention in Washington in November, 1922, in its convention again in Washington in 1923, and recently in St. Louis in 1924, unanimously adopted resolutions protesting against the adoption of this measure and the fundamental principle involved in it, and I think perhaps a brief statement is the best way to put that forward.

The National Council of Catholic Women is opposed to the equal rights amendments because of the fact it presents a fundamentally unsound conception of what is meant by the term "equal rights." As presented by the proponents of the measure, the term "equal rights" is interpreted to mean identical rights. To demand identical rights for men and women is absolutely unreasonable—just as unreasonable as it would be to argue that the physiological, psychological, social, and economic functions of men and women are identical. That they are not is so obvious that no argument is needed before any group of intelligent men and women. The difference of func-

tion—the result of natural law—imply essential differences in rights and duties. The preservation of these rights justifies legislation. There can be no question that woman should have in law definite, specific rights in accordance with the definite, specific duties which nature has imposed upon her. Any other attitude toward legislation is absolutely unsound.

Through the ages, and particularly in recent years, the efforts of women have been directed to bringing about a recognition in law of the fundamental differences which divide her from man by the passage of legislation which will protect her and which will insure not only her safety but the continued existence of society itself. The passage of the equal rights amendment would with one blow destroy all that has been accomplished through the centuries. There is no question about the fact that there are many instances in which woman is discriminated against in the law. There is still ample work to engage the best efforts of intelligent and earnest women in removing those statutes which not only deny certain rights to women but which prevent them from doing their full duty to themselves, their children, and society.

But to hope to cure admitted evils by the passage of a measure based on a fundamentally unsound theory and to ask that the United States Government through Congress should go on record as approving such theory is, to say the least, not only unreasonable but ridiculous.

(The following resolution was presented by Miss Regan and is printed as a part of the record:)

Whereas the so-called equal-rights blanket amendment will seriously jeopardize the remedial industrial legislation for women in industry now existing in many States and will postpone indefinitely passage of such legislation in States where such laws do not exist; and

Whereas the adoption of such amendment would affect seriously the whole attitude on the part of men and women to the obligations assumed as husband and wife; and

Whereas through this amendment the unity of home and family life is seriously menaced; therefore be it

Resolved, That we, the National Council of Catholic Women in convention assembled, do pledge ourselves to oppose actively the passage of such blanket legislation.

(Adopted at national convention held in Washington, November 21–23, 1922; reaffirmed at convention, Washington, September 30–October 3, 1923; again affirmed at convention at St. Louis, November 9–12, 1924.)

Mrs. SHERMAN. Our next speaker, Mr. Chairman, is Mrs. Reginald Stevenson, of the Girls' Friendly Society in America. She is unable to be present, I understand, so I will ask you now to hear Mrs. Alexander Wolf, of the National Council of Jewish Women.

STATEMENT OF MRS. ALEXANDER WOLF, WASHINGTON, D. C., VICE PRESIDENT OF THE NATIONAL COUNCIL OF JEWISH WOMEN

Mrs. WOLF. Mr. Chairman and members of the committee, I am Mrs. Alexander Wolf, one of the vice presidents of the National Council of Jewish Women, which is an organization of 225 sections in the cities of the United States and comprising over 50,000 women in the United States, whose objects are religious, philanthropic,

civic, and educational. At a convention in November, 1923, at St. Louis, the following resolution was unanimously adopted:

> Whereas the blanket equality amendment is an attempt to give men and women equal rights by a Federal amendment: and
>
> Whereas we believe that the enactment will imperil the rights and privileges secured by women in industry and would render insecure the legal and economic basis of marriage and the family: be it
>
> *Resolved*, That the National Council of Jewish Women opposes a blanket amendment on these subjects and indorses the method of securing separate, specific, legislation to remedy existing inequalities involving injustices to the women in the laws of the States of the Nation.

Mr. Chairman, one of the large concerns of the National Council of Jewish Women is our immigrant-aid work—the care we give to women and child aliens in the United States. This care is not exercised only at the port cities, but the women are followed into the cities and are taken care of, delivered to the right people, and in some circumstances we attend to their industrial placing.

In carrying out this work we have often found it necessary and most helpful to invoke the beneficient protective laws of women, especially those regarding guardianship, support, and, in connection with the wage-earning women, industrial protection.

We feel that the removal of this legislation would render chaotic the family and home basis as a unit for our work, because of the chaotic condition in which the courts would find themselves in regard to this enactment. I have consulted legal advice, and while the concern of most of the women who have spoken has been related to women in industry, our concern is with the question of guardianship, of support of the children, of attending to the deserting father or parent, who should have, as his main concern, the ignorant, bewildered, foreign, and poor wife.

Therefore, Mr. Chairman and members of the committee, I strongly advocate, on behalf of our organization, that you consider this law in its philanthropic relation as well as industrially and do not bring into our country the chaos which we feel would result by attempting to pass leveling laws which nature and time have not been able to achieve.

Mrs. Sherman. Our next speaker, Mr. Chairman, is Miss Lida Hafford, director of headquarters of the General Federation of Women's Clubs.

STATEMENT OF MISS LIDA HAFFORD, WASHINGTON, D. C., DIRECTOR OF THE GENERAL FEDERATION OF WOMEN'S CLUBS

Miss Hafford. Mr. Chairman, the General Federation of Women's Clubs has a membership of approximately 2,800,000 women. We have a State federation in each of the 48 States and clubs in 26 foreign countries. We have something like 15,000 clubs throughout the country.

The club women of the country have been interested always in protective legislation for women. From time to time we have had for discussion before our meetings of the board of directors the question of the equal-rights amendment which has been presented to you yesterday and to-day. At our convention in Los Angeles in June, this year, the following resolution was adopted

by that body, and I think it expresses to you more plainly than I can its position as to why it has taken this position:

Whereas the General Federation of Women's Clubs has been cooperating in State and national movements for the establishment of political, legal, and economic equality between men and women, which movements, since the ratification of the women's Federal suffrage amendment, have accomplished 86 specific equalizing changes in the laws of 30 States; and

Whereas such inequalities relate largely to the commonplace relations of men and women in their family life, in industry, and in community responsibility, where the term "equality" requires careful definition; therefore be it

Resolved, That the General Federation of Women's Clubs continue to work for the removal of inequalities by specific measures, which shall not be prejudicial to mothers' pension laws, nonsupport laws, age-of-consent laws, labor laws for women, and other types of social legislation applying to women and not to men, or applying definitely to men and women;

Resolved further, That the General Federation of Women's Clubs continue to oppose blanket legislation for sex equality, such as the so-called equal-rights amendment to the Federal Constitution, which by its sweeping, indiscriminate character would be likely to bring about serious inequalities instead of the desired equality.

That was the general federation speaking in assembly with regard to its position on the measure before you to-day.

Mr. WELLER. How many women were present at your convention?

Miss HAFFORD. We had about 6,000 women at the Los Angeles convention.

Mr. WELLER. They were delegates, I presume?

Miss HAFFORD. Three thousand of whom were delegates appointed by the several clubs.

Mr. WELLER. And the clubs are organized in each State?

Miss HAFFORD. We have 50 State federations, Alaska being considered one and the District of Columbia one, and the 48 States.

Mrs. SHERMAN. Mr. Chairman, our next speaker is Miss Elizabeth Eastman, of the national board of the Y. W. C. A.

STATEMENT OF MISS ELIZABETH EASTMAN, WASHINGTON, D. C., PRESIDENT OF THE NATIONAL BOARD OF THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION

Miss EASTMAN. Mr. Chairman and gentlemen of the committee, I am Miss Elizabeth Eastman, 2266 Cathedral Avenue, Washington, D. C., member of the national board of the Young Women's Christian Association.

The Young Women's Christian Association has a membership of about 600,000, 30,000 of whom are women working in industry, and one of those women has spoken this morning. Since our convention in Cleveland in 1920, when we adopted the social standards of the churches for the adequate protection of women in industry, including adequate protection and proper standards of working conditions and conditions surrounding women in industry, we have been working toward this end, and on December 5, 1923, the national board of the Young Women's Christian Association passed the following resolution upon recommendation of the legislative committee:

Whereas the legislative committee believes that unjust discriminations against women can be removed more effectively by working for specific laws than by blanket legislation; and

Whereas the equal-rights amendment to the Federal Constitution proposed by the National Women's Party may jeopardize laws of social value relating especially to women, such as protective labor laws, maternity and infancy welfare laws, etc.: It is

Resolved, (1) That the national board join the subcommittee of the women's joint congressional committee, which has been formed to opposed the equal-rights amendment; (2) that the national board give consideration to ways and means by which it could use its influence to remove unjust discriminations against women without jeopardizing existing laws which are of benefit to women.

Mrs. SHERMAN. Our next speaker is Miss Lita Bane, of the American Home Economics Association.

STATEMENT OF MISS LITA BANE. WASHINGTON, D. C., EXECUTIVE SECRETARY OF THE AMERICAN HOME ECONOMICS ASSOCIATION

Miss BANE. Mr. Chairman and members of the committee, I am the executive secretary of the American Home Economics Association, 617 Mills Building, Washington, D. C.

The American Home Economics Association has a paid membership of 6,000 persons, representing every State in the Union, and has affiliated State associations in 46 of the States and in the District of Columbia.

The council of the association acted on the proposed amendment in 1921 and the association itself affirmed the council's action in 1923, when the following resolution was adopted:

Resolved, That the association does not indorse the proposed amendment to the Constitution, "Neither political or legal disability or inequalities on account of sex or marriage shall exist in the United States," nor the proposed amendment to the Constitution, "Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction."

Present standards for the protection of women have been laboriously built up. Aiding in their maintenance are social agencies directed by people of skill. We are not convinced that this amendment, if passed, would maintain the present standards. We know that its passage would involve great confusion and, we fear, a loss of hard-won social legislation out of proportion to any advantage yet apparent.

Neither have we yet been convinced that there is need for Federal legislation on this point.

Mrs. SHERMAN. Our next speaker is Mrs. Glen L. Swiggett, of the National Council of Women.

STATEMENT OF MRS. GLEN L. SWIGGERT, WASHINGTON, D. C., NATIONAL COUNCIL OF WOMEN

Mrs. SWIGGERT. Mr. Chairman and members of the committee, the National Council of Women, which is a clearing house for national organizations, was organized in 1888. It has a membership of 35 national organizations representing individuals of something over 11,000,000.

Mr. DYER (presiding). Mrs. Swiggert, what position do you hold with the National Council of Women?

Mrs. SWIGGERT. I am chairman of the Federal legislative committee.

Mr. DYER. Where are you located?

Mrs. SWIGGERT. Here in Washington.

Mr. DYER. Give your address to the stenographer, please.

Mrs. SWIGGERT. 42, the Mendota. The National Council of Women has biennial conventions. The last one was in October, 1923, when it passed the following resolution:

> Whereas there is a movement to introduce in the next session of Congress an amendment to the Constitution to give equality to men and women in the United States and in territorial possessions, thus making a constitutional provision so vague and general that all laws pertaining to the protection of women (especially labor laws applying to women only that have taken many years to enact and to establish by Supreme Court decisions) would be subject to litigation and interpretation by courts; and
>
> Whereas the disabilities and inequalities sought to be removed through the so-called blanket amendment can be removed by separate laws in the several States:
>
> Therefore the National Council of Women declares itself opposed to the blanket amendment as a method of bringing about sex equality.

I would call your attention to the fact that this was before the amendment was introduced, and it was referred to in the resolution as the "blanket amendment," and there should be substituted now "the equal rights amendment."

I would also call your attention to the fact that of the 35 national organizations there is not any organization representing women in industry.

Mrs. SHERMAN. I would like to ask, Mr. Chairman, if Mrs. Borchardt has come into the room? If not, Mr. Chairman, that closes our list of speakers.

May I ask for permission to file a statement from the women's bureau of the New York State Department of Labor, by Mrs. Nellie Schwartz, and also those speakers who are not present who were to be here, Mrs. Ellis A. Yost, of the National Woman's Christian Temperance Union; Dr. A. Frances Foye, of the Medical Women's National Association; Mrs. Myrtle McAboy, of the International Brotherhood of Bookbinders; Miss Selma Borchardt, American Federation of Teachers; and Mrs. Reginald Stevenson, of the Girls' Friendly Society in America? Those statements will be presented later, with your permission.

Mr. DYER. I take it, of course, they will be brief.

Mrs. SHERMAN. Very brief. Those persons were only supposed to speak for two minutes.

Mr. FOSTER. They will define the position of the organization they represent?

Mrs. SHERMAN. Yes; they will be in opposition to the amendment. That closes our part of the program.

Mr. DYER. If there is no objection, it will be so ordered. Mrs. Hafford, you did not state what your position was for the General Federation of Women's Clubs and where you are located.

Mrs. HAFFORD. Director of the headquarters; 1734 N Street NW., Washington, D. C.

Mr. DYER. Are there any other witnesses who have testified that have not given the positions that they occupy with reference to the organizations for which they speak, and the address of the speakers?

Mrs. SHERMAN. I have filed with the stenographer a list giving the names and addresses of our speakers and whom they represent, and

I ask leave to file statements from those who were unable to be present to-day. The list of our speakers follows:

Mrs. John Dickinson Sherman, of Denver, Colo., president of the General Federation of Women's Clubs and chairman of the women's joint congressional committee.

Miss Katherine Ludington, of Lyme, Conn., treasurer of the National League of Women Voters.

Miss Mary Anderson, of Chicago, Ill., Director of the Women's Bureau of the United States Department of Labor.

Miss Anna Neary, of Baltimore, Md., of the American Federation of Labor.

Miss Elisabeth Christman, of Chicago, Ill., secretary-treasurer of the National Women's Trade Union League and secretary-treasurer of the International Glove Workers' Union.

Mrs. Myrtle McAboy, of the International Brotherhood of Bookbinders.

Miss Mary Koken, of Allentown, Pa., of the industrial department of the Y. W. C. A.

Miss Selma Borchardt, of the American Federation of Teachers.

Mrs. Florence Kelly, of New York, general secretary of the National Consumers' League.

Miss Agnes Regan, executive secretary of the National Council of Catholic Women.

Mrs. Reginald Stevenson, of the Girls' Friendly Society in America.

Mrs. Alexander Wolf, of the National Council of Jewish Women.

Mrs. Ellis A. Yost, of the National Woman's Christian Temperance Union.

Dr. A. Frances Foye, of the Medical Women's National Association.

Miss Lida Hafford, director of the General Federation of Women's Clubs.

Miss Elizabeth Eastman, of the national board of the Y. W. C. A.

Miss Lita Bane, of the American Home Economics Association.

Mrs. Glen L. Swiggett, of the National Council of Women.

Miss Ludington, do you wish to make a statement in regard to your organization?

FURTHER STATEMENT OF MISS KATHERINE LUDINGTON

Miss LUDINGTON. I believe I made a rather incomplete statement, Mr. Chairman, in regard to the National League of Women Voters. I am treasurer of the National League of Women Voters. The national treasurer's office is situated at 532 Seventeenth Street NW., Washington, D. C.

We are organized with a nucleus in 44 States. We are organized actively in 35 States. The form of our organization is local leagues of women voters composing, collectively, State leagues of women voters, which again compose the National League of Women Voters. In many States we are organized in every congressional district in the State.

Mr. FOSTER. The committee will take judicial notice of that. [Laughter.]

Mr. DYER. Is there any further testimony to be presented?

Mrs. KELLY. I am not sure my statement was complete, according to the requirement of the committee. My name is Florence Kelley; I am the general secretary of the National Consumers' League. Our headquarters are at Fifth Avenue and Twentieth Street, New York City. We have 20 local organizations in 15 States. It is not necessary to enumerate them, is it?

Mr. DYER. No.

STATEMENT OF MRS. MYRTLE McABOY, OF THE INTERNATIONAL BROTHERHOOD OF BOOKBINDERS

Mrs. McAboy. The International Brotherhood of Bookbinders, which I represent, is opposed to the so-called "equal rights" amendment advocated by the National Woman's Party, and I desire to file herewith a copy of the resolution on the subject adopted by our convention.

I desire also to reply to certain statements made to you by supporters of the amendment with reference to the labor laws for which the International Brotherhood of Bookbinders and the American Federation of Labor have always stood—laws regulating the hours of labor for women in particular. Mrs. Mary Murray, who states that she represents a thousand women employed by the Brooklyn Rapid Transit Co., told you that thousands of women had lost their jobs because of the night work law passed by the New York Legislature in 1919. Mrs. Murray said also that thousands of women had lost their jobs in restaurants, ice-cream parlors, and candy stores because of the night work laws.

I desire to call your attention, gentlemen, to the following facts:

Practically no women were employed before the war by the Brooklyn Rapid Transit Co.

The women hired during the war began to be dropped in November, 1918.

The bill to limit hours and forbid night work in the State of New York was introduced in the legislature in March, 1919.

The bill passed and became effective May 12, 1919.

Women were being dropped during the entire period from November on. There were only 2,900 women employed on May 1, 1919, before the law went into effect. About 500 of these women were employed in such a way that their hours conformed to the provisions of the law. Mrs. Murray claims to represent here before this committee a group of 1,000 employees on the job to-day; yet she says the Brooklyn Rapid Transit Co. dismissed 3,000 women because of the night work law.

This law has not been repealed. The nine-hour day provision was amended to strike out the clause "consecutive hours." Women now employed can work only 9 actual hours per day and 54 hours per week. They can not work between 10 p. m. and 6 a. m.

If, therefore, 500 women were so employed that the law could not affect their hours, and if, as Mrs. Murray states, 1,000 others are still employed notwithstanding the fact that the law is still in force, it is difficult to see how the dismissals Mrs. Murray referred to could be charged to the effect of the law.

In the case of the restaurants the night work law was enacted in 1917. It covers only restaurants, not hotels.

The mercantile law, which probably covers ice-cream parlors, was passed in 1913. One of these two laws must be the one that was referred to as causing the women in ice-cream parlors to lose their jobs in 1919.

If the laws of 1917 and 1913 caused "thousands of women" to lose their jobs, how does it happen that this result did not take place

until 1919? In other words, the statement made by Mrs. Murray is not in accord with the situation as shown by the foregoing facts and by investigations of the women's bureau of the New York State Department of Labor.

[To accompany statement by Mrs. Myrtle McAboy]

At the eighteenth biennial convention of the International Brotherhood of Bookbinders held in Chicago, July 9, 1924, the following resolution was unanimously adopted:

Whereas the organized labor movement of the United States supported the woman suffrage movement and continues to advocate equality of the sexes as to political, economic and social rights; and

Whereas there still exists in law, in industry and in custom discriminations against women, especially as to property rights, wages, hours of labor, and occupational opportunities; Therefore be it

Resolved, That the International Brotherhood of Bookbinders endorses the equal rights program of the American Federation of Labor, the Woman's Trade Union League and cooperating organizations of women, which program calls for the removal of discriminations against women by specific measures not prejudicial to labor laws for women or other needed laws applying to women but not applying to or not needed by men, and

Further resolved, That we oppose blanket legislation for sex equality, such as the so-called "equal rights" constitutional amendment now before Congress, on the ground that it would invalidate or throw into the courts for litigation the eight-hour, nine-hour and other labor laws for women in 47 States, mothers' pension laws in 39 States and other social legislation important to the public welfare, thereby probably bringing about serious inequalities instead of the desired equality.

FEBRUARY *5, 1925.*

Hon. GEORGE SCOTT GRAHAM,

Chairman House Judiciary Committee, Washington, D. C.:

The National Woman's Christian Temperance Union in annual convention, Chicago, 1924, went on record as disapproving blanket legislation to remove legal disabilities of women. This action was taken in the belief that such legislation would interfere with protective laws for women now on the statute books.

ANNA A. GORDON,
President.

FEBRUARY 10, 1925.

RESOLUTION OPPOSING "EQUAL RIGHTS BILL"

Whereas there are on the statute books of the several States and the Federal Government certain laws protecting women; and

Whereas the enactment of each of such laws was only accomplished after a long and difficult campaign; and

Whereas the National Woman's Party is endeavoring to secure the passage of a so-called "equal rights bill" in "blanket form" in the United States Congress and the several State legislatures; and

Whereas the passage of such an act would abrogate all protective legislative legislation for women: Therefore be it

Resolved, That the American Federation of Teachers, in convention assembled, does oppose the enactment of such a measure; and be it further

Resolved, That a copy of this resolution be sent to the American Federation of Labor, the National Women's Trade Union League, and the National League of Women Voters.

This resolution was adopted by the American Federation of Teachers at its sixth convention held July 5 to 7, 1922.

F. G. STECKER,
Secretary-Treasurer.

Mrs. GALBRAITH. I want to present a statement by Mr. Cadwalader, chairman of the executive committee of the Sentinels of the Republic. He was to appear to-day, but had a very bad cold and lost his voice.

Mr. DYER. If it is agreeable to the committee, that will be turned over to the chairman of the committee, and if he thinks it proper to go in he will direct the clerk to place it in the record.

(The statement above referred to is as follows:)

STATEMENT IN OPPOSITION TO THE "WOMEN'S EQUAL-RIGHTS" AMENDMENT TO THE FEDERAL CONSTITUTION

There are two universal objections to any such amendment as this, and one particular objection to this amendment.

First. Any such amendment is an interference with local State laws, a limitation upon and invasion of the right of the people of the several States to govern themselves, and consequently a denial of the right of local self-government, the protection of which right was one of the principal purposes of the American Revolution and of the Constitution itself. The Constitution was devised for the purpose of conferring on the newly created Central or Federal Government the power to legislate on all those subjects, roughly embraced under the headings of defensive war and commerce beyond State lines, which concerned the whole Union and could not be dealt with by the several States acting severally. As to all other matters the several States were, and were intended to remain sovereign, self-governing Commonwealths. "State rights," properly understood, mean simply the rights of their people to govern themselves. If they are not fit to do this without Federal or other external interference, then the whole scheme of the Constitution must be confessed to be a failure, and the people of the United States must be adjudged unfit to enjoy the rights which our ancestors wrung from the British Parliament and Crown.

Second. Any such amendment is vicious because it constitutes actual legislation, and is not the mere conferring of power to legislate. If this can lawfully be done, it means that we can enact laws that an insignificant minority can forever prevent us from ever amending or repealing. The only just sanction for legislation consists in the power of the representatives of the people by majority vote to alter or repeal the laws as occasion may demand. Only the Medes and Persians adopted the theory that a law once enacted is immutable. The Bible records how such laws were regarded in the sight of Heaven. It is unthinkable that a civilized nation of to-day should imitate this exploded doctrine. The amending power under the Constitution never could have been intended to operate by way of legislating. On the contrary, Article I of the Constitution says: "All legislative powers herein granted shall be vested in a Senate and House of Representatives." By necessary inference, no legislative powers granted by the Constitution are vested in any other body or bodies, and therefore no such powers are vested in the legislatures of three-fourths of the States through whose action constitutional amendments become valid.

It may be argued that the eighteenth amendment is in contradiction to this theory. But Congress has not so construed that amendment nor has the Executive, nor the Senate. Otherwise the so-called "rum-running" treaties would not have been negotiated or ratified, for they expressly permit what the amendment seems expressly to prohibit. Also the manufacture for home use of alcoholic fruit juices of a content denounced as intoxicating in fact when found in a beverage sold commercially is expressly permitted by the Volstead Act. All this shows that the only possible construction of the amendment that would harmonize with our conceptions of law has been given to that measure, namely, that it authorizes Congress to enact prohibition legislation and declares the public policy of the Nation as being in favor thereof, and repeals all affirmative laws inconsistent with that policy.

The proposed women's equal-rights amendment is, however, self-executing and both creates and limits rights everywhere, beyond the power of any legislature, State or National, to modify. It constitutes, in effect, irrepealable legislation, of the type of the laws of Medes and Persians, which may fit our needs to-day in some communities, but 20 years hence may be deemed obnoxious in all but a baker's dozen of States. Yet that small handful of States could keep this legislation fastened forever upon the entire Nation.

Third. This amendment is particularly objectionable to-day, because in so far as women's rights are not equal to those of men, whether considered superior or inferior, this inequality, so far from being a grievance either to men or women, only exists because it is supported by public opinion or popular tradition. Everywhere the means exist to remove by legislation any inequality that is deemed injurious or oppressive. Where an inequality has not been removed it must be because it has hitherto been deemed desirable. Since the women have the right to vote it is impossible to argue that they are prevented by the men from obtaining such equality of right as they may desire or ought to possess.

On examination it will be found that except in the marital and parental relations, whatever inequalities of civil rights remain are for the most part of trifling character, and consist in nominal preferences of males to females in the matter of administration and guardianship. Almost everywhere these preferences yield in practice to the judgment of the courts of probate, divorce, or domestic relations, under broad provisions enabling those courts to deal with cases before them in their discretion for the best interests of those concerned.

In reference to rights growing out of marriage and parenthood there exists everywhere the fundamental inequality—or perhaps a better word is, difference—that the wife is entitled to be supported by the husband and that the husband alone is also primarily liable to support the children. It is difficult to predict the effect of the proposed amendment upon these differences. Either it would give to husband and children a claim for support against the wife and mother, or it would destroy all rights both of the wife and the children to be supported by the husband and father. In either case it would weaken or destroy parental authority, which rests upon the parental obligation. True, if the duty of support should be held to rest equally upon both parents, then they would perhaps enjoy a joint authority over their children; but in the event of their disagreeing it could not be exercised, and the children would thus become emancipated from parental control.

In any aspect of the case the family relations would be altered for the worse by a novel piece of legislation that practically could not be cured and henceforth must be endured.

There is another class of cases where the laws treat the sexes unequally, and that is in social and labor legislation, where women in many States receive special protection in regard to hours of labor. All these remedial laws would, of course, be repealed by the passage of the amendment.

One of the few remaining points of alleged inequality is as to jury service. Jury service is not a privilege of the juror but the performance of a duty he owes the State, analogous to the duty of military service in war time. A query arises naturally as to the possible effect of this amendment upon women under a universal draft law, or even under the ordinary recruiting laws. Would a woman obtain by virtue of the amendment the right to enlist in the Army or Navy on the same terms as men? It is difficult to see why not. But as to jury service, it is almost preposterous to lay down an unbending rule. Some States have women on the panels now. Others do not. In still others, while they may be drawn, they never are in a large number of counties where the feeling is adverse to the practice. Nobody has ever seriously suggested that their civil rights before the law are jeopardized by excluding them from jury service. Were it otherwise, the courts would long ago have required their admission everywhere in obedience to the fourteenth amendment, which prohibits the denial to any person of the equal protection of the laws.

Lastly, it may well be urged that before Congress be asked to propose to the several States this amendment its advocates should establish its reasonable necessity. Otherwise, under Article V of the Constitution, Congress has no right to propose it. Manifestly, no amendment to the Constitution can be necessary when the direct representatives of the people in their several legislatures have ample power at any time to accomplish the end aimed at by the amendment. The refusal of the people's representatives in any State to enact laws demanded by some vociferous minority, however well intentioned, can not possibly justify the attempt by Congress and other States to force laws down their throats which may or may not be suited to their local conditions, but which, in any event, they have declined to enact for themselves. That is the assertion of the right of one set of persons to govern others without their consent. The most recent and radical attempt on the part of Congress to acquire such power, by way of constitutional amendment, is receiving a

rebuke from the people of the United States that grows daily in volume and impressiveness. Congress will be wise to learn in time that the people are attached to the principles of their Constitution and do not propose to see them violated for any cause, no matter how superficially appealing it may be. And furthermore the people have shown that they are not willing to yield their constitutional rights or their judgment concerning those rights at the behest of anybody, not matter how exalted a position may be occupied by the person who address them.

Every consideration, both of right, of wisdom, and of the merest expediency, alike, requires the Congress not to propose to the States this or any such amendment.

Respectfully submitted on behalf of—

THE SENTINELS OF THE REPUBLIC,
By THOS. F. CADWALADER,
Chairman Executive Committee.

FEBRUARY 5, 1925.

Mrs. CAMERON. Mr. Chairman, may I be permitted to make a statement?

Mr. DYER. Whom do you represent?

Mrs. CAMERON. I am Mrs. E. B. Cameron, president of the Women's Constitutional League of Virginia.

Mr. DYER. You wish to appear in opposition to the amendment?

Mrs. CAMERON. If I may, yes. As I have a cold, I will have to be very, very brief.

Mr. DYER. Would you rather prepare a statement on behalf of your organization and submit it?

Mrs. CAMERON. How much time will I have? I have not it prepared. I simply wanted to represent our league and it will, of course, be very brief. If you want a written statement, I think perhaps it would be better, because my voice is almost gone.

Mr. DYER. Suppose you prepare that and present it to the clerk of the committee, and it will go in the record, if it is brief.

Mrs. CAMERON. Yes; what I have to say is very brief.

Mr. DYER. Very well.

Mrs. SCANLAN. Mr. Chairman, may I make a brief statement?

Mr. DYER. You wish to appear, Mrs. Scanlan, in opposition to the amendment?

Mrs. SCANLAN. I do.

Mr. DYER. In opposition to the proposed amendment?

Mrs. SCANLAN. I do.

Mr. DYER. Give the stenographer your name and state for whom you appear.

STATEMENT OF MRS. FRANK C. SCANLAN, BOSTON, MASS., PRESIDENT OF THE MASSACHUETTS CONGRESSIONAL, TRADE, AND CIVIC LEAGUE

Mrs. SCANLAN. I am president of the Massachusetts Congressional, Trade, and Civic League.

Mr. DYER. Your address?

Mrs. SCANLAN. The organization address, headquarters, is at the Hotel Buckminster.

Mr. DYER. Where is that?

Mrs. SCANLAN. Boston.

Mr. DYER. You live there?

Mrs. SCANLON. I live in Milton; Morton Road, Milton.

Our organization is opposed to Federal legislation. We believe that throughout the centuries blood and treasure has been poured out to establish the rights of the individual which is predicated absolutely upon a division of authority and we feel that we are traveling in a constantly bending road, which will lead us back in a circle to the place where we started, if Federal legislation is to continue; so that we are opposed to Federal legislation.

We are opposed to it, also, from the fact that the last Federal amendment seems absolutely impossible to enforce, and we feel that while it is perhaps not well to devote the time to referring to prohibition——

Mr. FOSTER. The last one was woman suffrage, was it not—the nineteenth amendment?

Mrs. SCANLAN. I mean the prohibition amendment.

Mr. FOSTER. I thought you meant the last one. I thought perhaps you had not been voting.

Mrs. SCANLAN. I have been voting. And we feel the prohibition amendment will need all the money the Federal Government can afford to enforce it and, if we have more Federal amendments and the Government enforces them as they should be enforced, we feel we shall come down to having every second boy in every State a Federal agent. And I do not know where the money is coming from; perhaps the Woman's Party can help us out. I do not know what their resources are, but we feel that taxation along this line is going to be very serious, even if Federal legislation were just.

Now, I want to touch on another phase of this bill which has not been brought out in the statements so far. We are largely home women; we are anxious to continue to be home women, and we believe that this amendment breaks down a great deal that is very sacred. I refer to the equal political rights, equal professional rights, and equal educational rights.

In passing, I refer to them as dangerous; but the real danger, it seems to me, comes in the statements that have been made by the members of this committee before my own legislature, and I am only sorry we have not had Mr. B. Loring Young here, who has appealed to the women of Massachusetts to come forward in opposition to this bill; because, as the chairman of the committee backing the fight on the bill, he has been very active in citing the fact that the home is endangered by this sort of legislation. And we feel it is gravely endangered when a woman can stand up and say she believes she should have all the protection of marriage and none of its responsibilities, and we feel it is a severe blow to the homes of the country, and it is for the home women we speak, although maybe not only for home women, because we have professional and business women in our organization.

But we do feel that the responsibility of the home is very sacred and not only sacred, but most important in this country, and I appeal to you gentlemen that when a woman can feel that she can or need not maintain a home after marriage, that she can or need not wear her husband's name or a wedding ring——that we feel that the very fundamentals of society in this country are attacked. And we also feel that the childhood of this country is attacked in that the home of a child is the most sacred thing in the world. I

know I shall be accused of being sentimental, but I want you gentlemen to realize that the most sacred thing in all your memory is the home of your childhood, and we try very hard to give to our children the type of home given to us. We know that the home coming hour is the most wonderful hour in the day, and when children come into a home that is a home and wait for the home-coming of father, it is a great blessing. What, then, of the women who advocate that they can or need not wear a wedding ring; that they must go out to work to-day, and the women who sacrifice nothing to build the home? I think it is a very serious thing for the child of the future and the child of to-day, and I would not want the responsibility of any mother who taught her children or her daughter that marriage carried no responsibility. It is, then, from the viewpoint of the home maker and mother that our organization rebels against this, and we appeal to the gentlemen of this committee to absolutely vote against it.

Mr. FOSTER. Is your organization confined to Massachusetts?

Mrs. SCANLAN. Yes, sir.

Mr. FOSTER. Did your organization favor the adoption of the code to enforce prohibition in Massachusetts?

Mrs. SCANLON. Oh, yes, sir; When a law is law it should be enforced. We think that the worst thing in the world is an unenforced law; therefore we feel that Federal legislation should go slowly, because of the difficulty in enforcement.

Mr. FOSTER. For awhile Massachusetts did not have a very strong enforcing code, did it? It has recently been modified with respect to the enforcement of prohibition?

Mrs. SCANLON. I think Massachusetts has always done its share along every line of progressive work.

Mr. FOSTER. At least, then, your organization is in favor of the strongest possible State and Federal enforcement of prohibition?

Mrs. SCANLON. Oh, but we feel, sir, it is better for us to take care of our own affairs; we feel we can do it better as State organizations than as Federal organizations.

Mr. FOSTER. I say the two; the better the State and Federal enforcement the better this home will be, and the less opportunity there will be for a return to the evil, according to its rigid enforcement?

Mrs. SCANLON. We believe that the Federal laws should be enforced and we should cooperate in every way; but we hesitate long about additional Federal legislation being passed which may not be capable of enforcement.

Mr. FOSTER. I say the more enforced the Federal laws are by both sources the better that home will be, will it not?

Mrs. SCANLON. Well, we want the home protected.

Mr. FOSTER. Against liquor as well as other things?

Mrs. SCANLON. Oh, yes.

Mr. DYER. Does that conclude the hearing?

Mrs. WEED. May I speak as a private individual and not as representing anybody else?

Mr. DYER. For or against the amendment?

Mrs. WEED. I want to say a word for it.

Mr. DYER. In favor of it?

Mrs. WEED. Yes, sir. I have waited now until after every one of the proponents and opponents has been heard.

Mr. DYER. I think you have lost your day in court. Yesterday was the day set aside to speak for it.

Mrs. WEED. There was no opportunity given yesterday for it.

Mr. DYER. To-day was given over to those to speak in opposition to it. First I will ask if any one here desires to be heard in opposition to the amendment? There does not seem to be any one, so you may proceed.

STATEMENT OF MRS. HELENA HILL WEED, NORWALK, CONN.

Mrs. WEED. I might speak, Mr. Chairman, as a founder of the National Woman's Party, or I might equally well speak as president of a local league of women voters; I might also as well speak as a member of the various women's organizations which have appeared. I belong to a great majority of the organizations which have been representated here officially; but it is not as a representative of any one of them, but speaking for myself as a woman, as I am, that I want to speak to-day.

I want to say just a few words on a point that has not been touched at all, I want to speak as a self-supporting woman who has been engaged not only in supporting herself, but helping to put children through college, and so on, and necessarily earning as much money as possible.

The right of a man to earn as much money as possible and to make the fullest use of his professional or physical ability in earning a living is unquestioned not only in the Constitution itself but in court decisions. I have here a decision of the Supreme Court in the case of Allgeyer *v.* Louisiana (165 U. S. p. 589) relating to the protection guaranteed in the fourteenth amendment:

> The liberty mentioned in that amendment means not only the right of the citizen to be free from the mere physical restraint of his person, as by incarceration, but the term is deemed to embrace the right of the citizen to be free in the enjoyment of all of his faculties; to be free to use them in all lawful ways; to live and work where he will; to earn his livelihood by any lawful calling; to pursue any livelihood or avocation, and for that purpose to enter into all contracts which may be proper, necessary and essential to his carrying out to a successful conclusion the purposes above mentioned.

In other words, to earn his living and to support his family.

The case of Ohio has been referred to (and the New York law) which prohibits women from working in the mines. I myself was trained as a mining engineer and practiced my profession of economic geologist for many years when working with my husband. To-day I could not practice my profession as a mining engineer, which took many years of struggle and many years of experience to reach a point to do the work I did—to-day I could not practice that profession in Ohio and many other States, and I have gone into a different profession now, so that that does not affect me personally, but many women might be affected by it.

Now, on the question of equal rights to men and women, and this right to enter into any contract, as this says every man's right is protected, that right is a right, one of the rights which constitutes the difference between a free man and a slave. If I may refer to the Strauder *v.* West Virginia case, in which a negro was tried by a jury of white men, upon which negroes were not permitted

to serve. He carried the case to the Supreme Court of the United States on the ground of the denial of his civil rights, because negroes were not permitted to serve on the jury, and the Supreme Court, if you will recall, threw out that conviction for murder because his civil rights had been denied; and in that case it was held, and in a number of others in the Supreme Court, that the long existence of African slavery in this country led to a very real understanding of the difference between a slave and a free man, and it said there were certain recognized badges of slavery and the imposition of those badges of slavery constituted the difference between a slave and a free man, and the denial of this right of freedom of contract is given as one of those badges of slavery, and the right to move freely from place to place, to make your home where you will—the right, as I say, to enter into contracts and all of those things, which we know as civil rights, constitute the difference between a free man and a slave.

Now the Supreme Court went on to say that, inasmuch as slavery had been forever declared unconstitutional in the United States, for any State or Federal statute to impose upon any man any of those badges of servitude was an unconstitutional act, and yet every State in the Union goes ahead imposing those badges of slavery upon women, and the Supreme Court of the United States has justified the States in imposing those badges of slavery by a denial of the right to enter into certain professions and industries, a denial of the freedom of contract, a denial of all those rights which can not be denied to any man under the fourteenth amendment. And I think women realize very little the depth of their subserviency when they ask as privileges a continued imposition of the badges of slavery.

Now, there is just a little paragraph here I would like to read into the record, because yesterday you heard that Susan B. Anthony memorialized Congress back in 1882 to try to have equal civil, political, social, and industrial rights granted to women. She made some very wonderful speeches. I want to quote a short paragraph in regard to how she felt toward the attitude women had and, while many of us feel to-day the same way, many of us do not realize, in asking for a privilege instead of justice—they do not realize the depths to which they are condemning all women.

Mr. FOSTER. You are representing nobody but yourself?

Mrs. WEED. Just myself, as an American citizen.

Mr. FOSTER. Along what theory was it you took a position here yesterday and to-day at the reporter's desk?

Mrs. WEED. Because I am a writer by profession and a reporter.

Mr. FOSTER. I did not understand why you took a position at the reporter's desk.

Mrs. WEED. I happen to be interested in the woman's movement, and I am a reporter——

Mr. FOSTER. The room is full of women who are interested in this movement; but what I am inquiring about is, you put some inquiries to me yesterday, but I understood yesterday you were a reporter.

Mrs. WEED. I am reporting——

Mr. FOSTER. You are reporting for whom?

Mrs. WEED. I am reporting for a magazine. I am writing an article for them.

Mr. FOSTER. For what magazine?

Mrs. WEED. I am not at liberty to tell you the name. I am a member of the Women's National Press Club.

Mr. FOSTER. You assumed your position at the stenographer's table because you are reporting for a magazine?

Mrs. WEED. Yes, sir.

Mr. FOSTER. The name of which you are not at liberty to tell?

Mrs. WEED. No, sir; not at this moment, because I am doing articles on assignment, and it is not customary under the conditions under which I am writing to make that statement.

Mr. FOSTER. I noticed you there and I did not know whether the chairman had designated you to take that position and when you asked to be heard, after both sides had closed, I did not understand your position and I was just trying to find out.

Mrs. WEED. I asked where the press table was, sir, when I came in, and was directed to sit here.

Mr. FOSTER. Directed by the chairman?

Mrs. WEED. I do not know; some one in authority in the room said this was the press table.

Mr. FOSTER. Did he tell you to sit there?

Mrs. WEED. Yes, sir.

Mr. FOSTER. Did this gentleman here, the clerk, say for you to sit there?

Mrs. WEED. I do not remember.

Mr. FOSTER. Or the chairman of the committee?

Mrs. WEED. I think all the reporters have been sitting here, and I was told to sit here——

Mr. FOSTER. I am asking you who told you.

Mrs. WEED (continuing). But I can not tell you who told me. I am reporting this hearing and I am a member of the Women's National Press Club, and a magazine writer, and I asked for the press table.

Mr. DYER. She has the same privilege to come to the press table as any other reporter.

Mr. FOSTER. I noticed the present chairman was insisting that each person who overlooked stating who she was representing should give the name of the organization she represented.

Mr. DYER. She did it in the beginning and said she does not represent any organization here.

Mr. FOSTER. No; she says she represents a newspaper, the name of which she is not at liberty to tell.

Mrs. WEED. I am reporting and gathering material for an article which I am writing.

Mr. SUMNERS. You are getting material for an article which you expect to write for a newspaper?

Mrs. WEED. It is not a newspaper: it is a magazine.

Mr. SUMNERS. You are getting material for an article for a magazine?

Mrs. WEED. That is the reason I am sitting at this table. I am not speaking for any magazine: I am speaking for myself, as a working woman trying to support myself and children.

Mr. FOSTER. Did you ask for time to be given you from either side?

Mrs. WEED. No, sir. I could have had it, I assume, for the asking.

Mr. FOSTER. I am questioning you to get your relation to it.

Mrs. WEED. I am moved in what I am trying to say as an American citizen. I did not wish to speak until I heard the testimony yesterday and to-day.

I simply want to conclude what I wish to say by quoting Susan B. Anthony:

> Nothing less atrocious to women than was the fugitive slave law to the negro can possibly sting the women of this country into a knowledge of their real subserviency and out of their sickening sycophancy * * *.
>
> So, while I do not pray for anybody or any party to commit outrages, still I do pray, and that earnestly and constantly, for some terrific shock to startle the women of this Nation into a self-respect which will compel them to see the abject degradation of their present position; which will force them to break their yoke of bondage and give them faith in themselves; which will make them proclaim their allegiance to women first; which will enable them to see that men can no more feel, speak, or act for women than could the old slave holder for his slave. The fact is, women are in chains and their servitude is all the more debasing because they do not realize it.
>
> Oh, to compel them to see and feel, and to give them the courage and consciousness to speak and act for their own freedom, though they face the scorn and contempt of all the world for doing it!

That was said by Susan B. Anthony when she began this fight.

Mr. FOSTER. You believe that applies just as much to-day, do you?

Mrs. WEED. Yes, sir.

Mr. FOSTER. If not more?

Mrs. WEED. Yes, sir.

Mr. DYER. Are there any further matters to come before the committee at this time? If not, the committee will adjourn to meet tomorrow and hear arguments on the Baker impeachment case.

(Thereupon the committee adjourned until to-morrow, Friday, February 6, 1925, at 10 o'clock, a. m.)

(The following additional statement and communications are printed as a part of the record:)

STATEMENT OF MRS. EDWARD B. CAMERON, NEWPORT NEWS, VA., PRESIDENT OF WOMAN'S CONSTITUTIONAL LEAGUE OF VIRGINIA

CHAIRMAN, COMMITTEE ON JUDICIARY,
House of Representatives of the United States:

The Woman's Constitutional League of Virginia, desiring to have recorded their opposition to the proposed equal rights amendment, submit the following:

We believe this amendment to be of communistic origin, and a world-wide movement of revolutionary intent, to abolish the home and to establish the new social order, recommended by Karl Marx and Frederick Engels in the communist manifesto written in 1848.

"The communists everywhere support every revolutionary movement against the existing social and political order of things." Quoting a proponent of this amendment who spoke on the 4th of February before your committee: "In 1848 was held the first Woman's Rights Convention," admitting it to be now a world-wide movement.

We are firmly convinced that it was not a mere coincidence that these two movements began at the same time, since they both advocate the same ideas. The proponents stated that they wanted equality with men. This idea is found in the writings of Alexandra Kolontai, one of the best known women of the communist revolutionary movement, in her booklet, "Communism and the family," under "Social equality of men and women." She says: "The workers' state has need of a new form of relation between the sexes." "In place of the indissoluble marriage based on servitude of woman, we shall see rise the free union, fortified by the love and the mutual respect of the two members of the workers' state, equal in their rights and in their obligations." On page 13, she says: "The family is ceasing to be a necessity of the State, as it was in the past; on the contrary, it is worse than useless,

since it needlessly holds back the female worker from a more productive and far more serious work." "The woman in the communist city no longer depends on her husband, but on her work. It is not her husband, but her robust arms which will support her."

We claim it paves the way to weaken the family if these communist ideas of equality between men and women are injected into the laws of our land.

(Paper filed by Mr. J. H. Adriaans, Washington, D. C.:)

Thanking the committee for affording me an opportunity to make some suggestions relative to the propriety of Congress submitting the resolution to the States for ratification, I desire preliminarily to recommend amendments to the text thereof:

After "rights," line 10, insert "and liabilities."

After "jurisdiction," line 11, insert "on Federal subjects."

The purpose of these proposed alterations is self-evident; rights and liabilities are as inseparably connected as substance and shadow; antecedent and consequent; cause and effect.

To grant certain persons all the privileges of responsibility, while retaining all of the immunities of irresponsibility is unjust to other persons and disturbs the equality of all persons incident to a republican form of government.

To provide equal rights to certain persons in State affairs places the Federal Government in antagonism to the several States, and the laws enacted by the latter. The continuity and perpetuity of our dual form of Government depends on maintaining each in separate spheres of action.

The Federal Government should no more encroach upon the reserved powers retained by the States than the latter should trespass upon the enumerated powers granted to Congress, specified in sections 8 and 9 of Article I.

The matter of Federal constitutional amendments is now engaging the Nation's attention as never before; and men of analytic discernment are critically examining Article V to ascertain its interpretation.

All of our 19 amendments rest upon Article V as a foundation; those that are consonant therewith are amendments; those that conflict therewith are spurious and counterfeit.

Article V has never been construed by the United States Supreme Court as a whole; and partial interpretations thereof are susceptible of being proved erroneous.

While on subjects of far less consequence we have standards, and have even established a Bureau of Standards, on this momentous and far-reaching question of adding amendments to the Federal Constitution, so as to become part thereof, there is no standard whereby to segregate the true from the false, the genuine from the counterfeit, the wheat from the chaff.

In writing a book on The History and Validity of Federal Constitutional Amendments (H. Res. 345, 67th Cong., 1st sess.) I deduced that none of our amendments harmonize with Article V.

This book is still in manuscript form, through no fault of mine. The wealth of authentic, official information contained therein would justify Congress to extend aid toward its publication or at least appoint a committee of competent persons to report thereon.

The foremost question for Congress to answer in the resolution under consideration is whether it deems it necessary to amend the Constitution in this respect.

Is there such gross deprivation of rights to our citizens, or part thereof, as to make this antidote imperative?

My answer to both questions would be in the negative.

In appearing heretofore before the Senate Judiciary Committee, on the Wadsworth resolution (S. J. Res. 40, 67th Cong.), and before the House Judiciary Committee, on the Foster Resolution (H. J. Res. 368, 67th Cong.), I endeavored to show that three vital tests are created by Article V, the concurrence whereof is essential to produce harmony therewith.

These are the jurisdictional, proposal, and ratification tests.

I have ascertained that no one of our proclaimed amendments meets all three of these tests, and hence that none became a part of our Constitution.

The resolution now under consideration falls before the first test, since there is no jurisdiction in Congress to propose such amendment if it in anywise is to affect, modify, repeal, or annul State laws.

If the latter result is sought, two-thirds of the several States should petition Congress to assemble a Federal constitutional convention, whereto each State would accredit delegates of its own selection. If two-thirds of the States represented therein approved the tentative amendment it would be transmitted to each of the total number of States for consideration by State constitutional conventions. If so ratified by three-fourths of the total number of States it would become part of the Federal Constitution without other action by Congress than the assembly of the Federal constitutional convention.

I have heretofore filed a brief on this resolution which I ask may be read as a part of the present remarks.

MASSACHUSETTS PUBLIC INTERESTS LEAGUE,
Boston, Mass., January 26, 1925.

HON. GEORGE S. GRAHAM,
Chairman House Judiciary Committee,
House Office Building, Washington, D. C.

DEAR SIR: The Massachusetts Public Interests League wishes to go on record as unalterably opposed to the equal-rights amendment, which proposes by Government action to deny and ignore the fundamental differences between men and women.

Its crude proposal that men and women shall be decreed equal by constitutional amendment is both unscientific and inhuman.

Kindly read this into the record.

Truly yours,

MARGARET C. (MRS. B. L.) ROBINSON,
President.

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Special Privileges For Women

An example of the working out in actual practice of laws purporting to give special privileges to women, is found in the exclusion of women as employes of the legislature of Wisconsin, on the ground, as stated by the Attorney-General, that this exclusion from employment is a "protection" to women.

A law was passed by the Wisconsin legislature in 1905, and reaffirmed by later legislatures, excluding women from employment by the legislature. This law reads:

> "Legislative employes.—Appointment and employment of legislative employes shall be in accordance with the following:
> "(1) Male persons only shall be employed."
> (Wisconsin Statutes, Sections 13. 14.)

After the passage of the Wisconsin Equal Rights law in 1921, the Woman's Party sought to have the paid positions under the legislature opened to women under the authority of the Equal Rights law. The Equal Rights law, it will be remembered, reads:

> "Section 1. Women shall have the same rights and privileges under the law as men in the exercise of suffrage, freedom of contract, choice of residence for voting purposes, jury service, holding office, holding and conveying property, care and custody of children, and in all other respects.
> "The various courts, executive and administrative officers shall construe the statutes where the masculine gender is used to include the feminine gender unless such construction will deny to females the special protection and privileges which they now enjoy for the general welfare.
> "The courts, executive and administrative officers shall make all necessary rules and provisions to carry out the intent and purposes of this statute."

Before employing any women, however, the Civil Service Commission asked an opinion from the Attorney-General of Wisconsin, Herman L. Ekern, on the question whether the law of 1905 excluding women from paid positions under the legislature was still in force or whether this law had been abrogated by the Equal Rights law.

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The Attorney-General gave the following opinion to Robert G. Sharp, secretary and chief examiner of the Wisconsin Civil Service Commission:

> "In reply to your inquiry of the 11th instant, I beg to say that in my opinion Paragraph 1 of Sections 13. 14, of the Wisconsin Statutes for 1921 is in force notwithstanding the enactment of Section 6.015 Wisconsin Statutes of 1921.
>
> "I base this conclusion on the fact that employment in the legislative service necessitates work during very long and often unseasonable hours and that it was not the intention of the legislature to change this practice, as would be required under the statutes relating to the employment of women.
>
> "I feel all the more free in so holding for the reason that the legislature is in session and can readily change this by specific enactment if this should be thought desirable."

The Attorney-General also sent the following letter on the subject to Alice Paul, vice-president of the Woman's Party:

> "I have for acknowledgment your letter of February 26, 1923.
>
> "My opinion to the Secretary and Chief Examiner of the Civil Service Commission on this subject was based on that part of Section 6.015 (1) which reads as follows:
>
> "'The various courts, executive and administrative officers shall construe the statutes where the masculine gender is used to include the feminine gender unless such construction will deny to females the special protection and privileges which they now enjoy for the general welfare. The courts, executive and administrative officers shall make all necessary rules and provisions of this statute.'"

As a result of this interpretation placed upon the Equal Rights law by the Attorney-General, women are "protected" from all paid positions under the legislature, and still retain the "privilege which they now enjoy for the general welfare," of having all such positions closed to them and open only to men.

Nothing could show more vividly what "privileges" and what "protection" really mean to women.

Nothing, moreover, could show more clearly the wisdom of the Woman's Party in insisting upon "equality" in its legislative program and in opposing all so-called "safeguarding" clauses such as that contained in the

Wisconsin law, which assume to give "protection" and "privilege" to women.

When we examine one by one each of the "privileges" and "the protection" women are supposed to enjoy, we find that in practically every case it is really the man, not the woman, who is protected. In the Wisconsin instance, for example, women are barred from employment by the legislature on the ground, in the words of the Attorney-General, of protecting them from "very long and often unseasonable hours." In reality this means that men holding paid positions under the legislature are "protected" from the competition of women for these positions.

No group in authority ever legislates against its own self interest. We come into a world in which men have made the laws, and have made them in the interest of men. So long as men are in control, they will continue, often unconsciously, to legislate in their own interest. If women have equality with men under the law, women will not suffer as a result of this equality, for men, who still control our government will not make laws disadvantageous to themselves. If special laws are made for women, different from those applying to men, women may rest assured that this difference will be to their disadvantage, even though the different law is passed ostensibly for their "protection."

So it has ever been—every discrimination against woman has been explained away as really in her favor. Blackstone, writing in the eighteenth century in his Commentaries on the English law, said: "Even the disabilities which the wife lies under are for the most part intended for her protection and benefit; so great a favorite is the female sex of the laws of England." And this was after he had just shown how the woman had no control over her children, how she had no control over her property after marriage, how she had no control over her earnings after marriage, how the husband even possessed the legal right to give the wife "moderate correction," in short, how marriage meant "the suspension of the very being or legal existence" of the woman.

To all women who are afraid of "Equality" and cling to "protection," we commend a careful study of the working of each of the so-called protective measures and special privileges, beginning with the Wisconsin instance.

Join the Woman's Party

Work for the Equal Rights Amendment:—

"Men and women shall have Equal Rights throughout the United States and every place subject to its jurisdiction."

Help Win For All Women:

Equal control of their children
Equal control of their property
Equal control of their earnings
Equal right to make contracts
Equal citizenship rights
Equal inheritance rights
Equal control of national, state and local government
Equal opportunities in schools and universities
Equal opportunities in government service
Equal opportunities in professions and industries
Equal pay for equal work

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The Equal Rights Amendment

Questions and Answers

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1. *What is the Equal Rights Amendment?*

   The Lucretia Mott Amendment to the United States Constitution is before Congress. It reads:

   "Section 1. Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction.

   "Section 2. Congress shall have power to enforce this article by appropriate legislation."

2. *What do its proponents think such "blanket legislation" will accomplish?*

   They believe that the passage of the Amendment will bring about the removal of all discrimination against women in both Federal and State laws; that it will render invalid every future attempt on the part of legislators or administrators to interfere with equal rights for women.

   All amendments to the U. S. Constitution are "blanket" amendments. Justice Story of the Supreme Court said: "The Constitution unavoidably deals in general language. It did not suit the purposes of the people, in framing this great charter of our liberties, to provide for minute specifications."

3. *Does the law discriminate against women?*

   There are still on the statute books of the forty-eight states more than one thousand laws discriminating against women because of sex. Discriminatory laws deprive women of equal economic opportunity and of the right to manage their own property. In some states a husband can collect his wife's wages and can collect for loss of her services. In other states a woman has not equal guardianship of her children. There are states in which the bond of a woman will not be accepted even though she may be a successful business woman support-

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ing her husband and family. In these states she could not even furnish bond for her own son or daughter incarcerated in jail. Women do not inherit equally with men in all states and in numerous other ways they are handicapped in the business of living and making a living. In some states guardians must be appointed to represent adult women when under similar circumstances men would be free to represent themselves. HOWEVER—IF A WOMAN IS SENTENCED TO BE EXECUTED, NO ONE IS APPOINTED TO REPRESENT HER. SHE REPRESENTS HERSELF.

4. *What are "equal rights"?*

The Oxford Dictionary defines "equal" as having the same right or privilege." Equal rights for men and women in the law might be defined as applying the law equally to men and women. The Amendment language is definite, concise and in harmony with the other amendments to the Constitution. The Ninth Amendment contains no definition of the word "rights" used therein. The Fourteenth Amendment contains no definition of "due process of law," or of "equal protection."

5. *Do "equal rights" mean accepting men's standards in everything, or women's?*

Under the Amendment State rights would be preserved. Each state would adopt its own standard, but the standard in any one state would apply equally to men and women. When suffrage was won, California equalized its law by abolishing poll tax for men while Mississippi equalized its law by extending poll tax to women.

6. *Does the Amendment mean that all persons are equal?*

Certainly not—only under the law. Some men are strong and some are weak. Mentalities of men differ. It is the same with women. It would mean that under the law women would have equal rights with other citizens; that they would be handicapped only by their personal physical and mental limitations—just as are men.

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7. *Does equality mean uniformity throughout the whole country in matters in which State statutes now differ widely?*

"Equality" does not mean uniformity. Under the Amendment, in a given state men and women would have equal rights, but the rights would not necessarily be the same in all of the states. Because New York has a divorce law, the Amendment would not require South Carolina to amend its law to grant divorce. Each state would preserve its own standard but the standard in any one state would apply equally to men and women in that particular state.

8. *How can sovereign states be compelled to carry out the purposes of this Amendment if their legislatures are dilatory?*

If their legislatures are dilatory, the states can be compelled to carry out the purposes of the Amendment exactly as they are compelled by other provisions of the Constitution. There is no unwarranted interference with the rights of states under the Amendment.

9. *Who shall decide these questions—Congress, the State Legislatures, or the Courts?*

The State Legislatures would themselves decide whether any particular legislation, old or new, was in conformity with the Amendment. If a State law did not harmonize with the Amendment, remedial bills would be drafted. If the Legislatures did not equalize certain laws, there would be test cases in the Courts. These cases could go to the Supreme Court of the United States for final determination.

10. *How could the Amendment affect rights determined by custom and not by law?*

The Amendment itself would affect only law, since the Constitution deals with law, not custom. There are traditions and prejudices against women in all fields of endeavor, and handicaps of custom and psychology. The Amendment will effect these indirectly. The recognition of women's legal rights by the Equal Rights Amendment will have a powerful influence in changing tradition and raising women's status.

11. *What effect will the Amendment have on a wife's right of dower?*

Curtesy and dower laws vary in many states. New Jersey has equalized its dower and curtesy law by making equal provision for husband and wife. Some states have abolished dower and curtesy and have made equal provision for husband and wife in their decedents' estate law. Under the Amendment, each state could decide upon its own standard, but the standard would be the same for men and women.

12. *Shall wives be responsible for the support of their husbands and families?*

Today, under the laws of many states, husbands and wives owe each other, mutually, support and assistance. The practice of making the wife and mother, as well as the husband and father, responsible for the support of spouse and children is far under way in this country, one-third of the states having such laws. In some states women are criminally liable for the support of their children. The majority of wives in every state now contribute to the support of husbands and families through their labor and services in the home, although such support is accorded no legal recognition. Under the Amendment, each state could set its own standard of support.

13. *What effect will the Amendment have upon alimony?*

In 13 states the law makes no distinction between a husband and wife with regard to the right to receive support from each other after having been divorced. Records show that a large percentage of divorced women are not only supporting themselves but also their children. Alimony is decreed in only about 10 per cent of divorce cases. Under the Amendment, each state could set its own standard regarding alimony.

14. *Will the marital domicile continue to be the husband's place of residence, or the wife's place of voting?*

In eight states the wife may have a domicile not controlled by that of her husband for the purpose of voting, holding office, and serving

on a jury, as well as for the purpose of bringing suit for divorce or separation. Under the Amendment, each state could set its own standards respecting equal rights in its domicile law.

15. *The age of consent to marriage in some states is lower for girls than it is for boys. Will equality be established on the basis of present laws for boys or present laws for girls?*

Under the Amendment, each state would set its own standard of equality. At present there are six states wherein the law makes no distinction between boys and girls with respect to the minimum age for contracting marriage.

16. *Would the proposed Amendment abrogate State laws providing a pension to widows to aid them in raising their children in the home?*

The pension is for the child and not the mother. The basis is usually so much for each child. In many states the pension is given to either parent or to a guardian responsible for the child and unable to support it. Under the Amendment a state may base its standard upon the needs of the child and give a pension to either parent or a guardian to administer.

17. *Will the Equal Rights Amendment affect maternity legislation?*

Various laws on this subject have provided for appropriations from the United States Treasury to the several states for the purpose of co-operating with them in promoting maternal and child welfare. The 1935 Federal Law provided a yearly appropriation "for the purpose of enabling each state to extend and improve . . . the health of mothers and children . . .," the payments being administered by the Children's Bureau of the United States Department of Labor and local child-health units. The Secretary of Labor was to allot a sum to each state and such a part of a larger fund as he found the number of live births in such state bore to the total number of live births in the United States.

All men are not soldiers. Yet soldiers receive a bonus from the Government and care in case of illness, because they have performed a service to the State. All women are not mothers. Those who are mothers are considered to have performed a service to the State.

Health conditions of certain groups of men and women naturally differ. The promotion and extension of care for any of these groups could not be classed as legislation for an entire sex.

These laws would not be affected by the Equal Rights Amendment.

18. *What will be the effect of the Amendment on existing minimum-wage and maximum-hour legislation for women?*

The trend today is toward wage and hour legislation for all workers. Minimum-wage and hour legislation applies to women only in certain states. These states, anticipating the adoption of the Amendment, could amend their laws to apply to all adult workers. Unless the laws were so amended, they would be ineffective and in that case adult women, relieved of the handicap of special restrictions, could contract on the same terms as men.

Minimum-wage, maximum-hour, and prohibition-of-night-work laws, applying to women and not to men, make women less desirable as employees. Equal pay for equal work is impossible of attainment when men and women do not work under the same regulations. Whenever regulations are necessary, they should be based on the nature of the work and not upon the sex of the worker.

The Equal Rights Amendment will actually place labor legislation on a sounder basis by making it necessary to regulate the hours, wages, and conditions of work of all adult workers on an equal basis and to deal with child labor separately and therefore more effectively.

19. *Will the Amendment itself abrogate existing laws? What will happen to all laws pertaining to women between the time this Amendment is adopted and the time Congress passes legislation to enforce it?*

The passage of the Amendment will not automatically abrogate existing laws, but it will render them unconstitutional. It will compel both Federal and State governments to observe the principle of equal rights.

The process of adopting an amendment to the Constitution is not a quick one. It requires action by three-fourths of the states. There

would be sufficient time between passage and ratification by the necessary number of states to bring State laws into harmony with the Amendment. After passage of the Suffrage Amendment, there was no difficulty in this respect.

20. *Why is it vital to working women that the Equal Rights Amendment be passed at this time?*

There is a definite trend toward forcing women out of paid work, regardless of their necessity for earning a living. Married women employed in the public schools and in state and municipal offices and institutions have been the first singled out for attack. The Equal Rights Amendment would make unconstitutional the singling out of women public service employees for discharge because of marriage.

The United States is a member of the International Labor Organization of the League of Nations. The International Labor Organization in its Conventions, regulating the work of women, has assumed that women workers require different treatment from men and need special protection. Two Night Work Conventions, barring women from night work, a Lead Paint Convention, prohibiting women and children from work in the lead-paint industries, and a Mining Convention, prohibiting the work of women underground in mines, have been ratified by many member countries. Once a Convention is ratified, its terms are binding for ten years, and if the Convention is not denounced the year following the expiration of the ten-year period, its terms are binding for another ten years. Our country's membership in the International Labor Organization is a menace to the freedom of working women unless they have the protection of the Equal Rights Amendment. This Amendment will be a protection against conventions restricting women's right to work, because the United States cannot accept a convention contrary to a provision in the Constitution.

21. *Why not remove discriminations against women one by one, through "specific bills for specific ills" in each state?*

It would take generations of priceless energy and effort to do this. Moreover, State legisla-

tion is insecure, in that laws passed by one Legislature may be modified or repealed by the next.

22. *Will the Amendment cause confusion and litigation?*

There is no reason why the Amendment would cause more confusion than State laws. Certainly, piece-work legislation will not eliminate litigation or avoid confusion. We not only have litigation with "specific bills for specific ills," but each one of these specific laws has to be interpreted.

It is worth considerable to women to settle the question of their status. It is safe to say that no litigation under the Amendment could possibly be so tedious and laborious as obtaining, one by one, a "specific bill for a specific ill" and litigating on all or some of them.

It took seventy years to win the vote for women in this country and much of that time was spent in persuading women that they needed it. Even at the end, there was a large group of organized women spending money to oppose suffrage.

In the words of the late M. Carey Thomas, when President of Bryn Mawr College: "It is strangely unsympathetic for opponents of an equal rights amendment to suggest removing thousands of inequalities and injustices by slow and painful piece-work in 48 State legislatures while women are being born, living their lives, and dying without the justice for which they have been waiting since the time of the cave man."

* * *

The Equal Rights Amendment is the statement of a broad principle, such as others in the Constitution, which the framers of that document considered fundamental—religious freedom, freedom of speech and press, the guarantee of life and liberty. Fundamental principles were incorporated in the Constitution. Other matters were left to the states. The Suffrage Amendment enfranchised women. The Equal Rights Amendment will guarantee them the fundamental rights other citizens already enjoy.

NATIONAL WOMAN'S PARTY
Alva Belmont House
Washington, D. C.

324.308
N213P

Why

THE EQUAL RIGHTS AMENDMENT NOW!

"Men and Women shall have Equal Rights Throughout the United States and Every Place Subject to Its Jurisdiction."

Text of Amendment now before U. S. Congress

NATIONAL WOMAN'S PARTY

Headquarters: 144 B Street, N. E.

Washington, D. C.

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EQUAL RIGHTS ENDORSED!

THE Women's International League for Peace and Freedom at its International Congress at Zurich on September 7, 1934, unanimously adopted the following resolution:

"WHEREAS four American Republics have recently signed a Treaty to remove from their laws all discriminations based on Sex, reading:

'The contracting States agree that upon the ratification of this Treaty, men and women shall have Equal Rights throughout the territory subject to their respective jurisdictions';

"WHEREAS this international agreement points a practical and speedy way to establish Equal Rights for women throughout the entire world;

"WHEREAS this victory is particularly heartening at this time when the forces of reaction are taking away from women in Europe a large part of their freedom;

"*Be it resolved,* That this Congress give its approval to the Equal Rights Treaty and ask its Sections to work for it in their respective countries."

Women are conceded to be practically united in the cause of peace and in opposition to war, yet until they secure for their sex equality under the law and in the ecomonic field they are handicapped in attaining their goal. The conflict between the sexes is an unnecessary conflict and should be eliminated by establishing once and for all a fundamental principle of liberty and freedom that will contribute materially to the cause of peace, which is dependent upon mutual understanding.

Shackles Not Impressive

If women are to contribute their talents and ability to the cause of peace and freedom for the world, would not that contribution carry more weight coming from a free

people? Shackles are not impressive, yet *women of the United States still wear them.*

There can be no security of livelihood as long as women are restricted by minimum wage and ~~minimum~~ maximum hour laws that apply to women only, leaving their male competitors free to underbid them, thereby losing them their jobs.

Where workers are exploited, would it not be the logical and sensible thing to deal with the exploiters rather than the exploited? This problem should be approached from the proper angle and protection would then be afforded *all* workers—men and women.

The Amendment

The proposed Equal Rights Amendment to the Constitution, now before Congress, affords women in the United States an excellent opportunity to take an active part in helping to bring about the realization of the principle endorsed in Zurich, when the Sections of the League were asked to work for Equal Rights in their respective countries.

Why the Equal Rights Amendment?

Because there are *still* more than one thousand laws discriminating against women in the United States, covering more than sixty points of inequality.

Because it is becoming *increasingly difficult* for women to make a living for themselves and their dependents as long as legislative bodies continue to enact laws restricting them. With an equal rights amendment in the Constitution, *this would be impossible.*

Because talent and ability count for naught when the accident of birth makes possible archaic laws classifying women workers as a sex without regard to capability. There can be no equality of economic opportunity under this system.

Because it is not beyond the realm of possibility that activities of women for peace and freedom or any other cause, could be curtailed by law, unless women as citizens are protected by the establishment of the principle of equality in the fundamental law of the land.

Result of an Equal Rights Amendment

Women would be free to compete for a living on a basis of equality with men, with no further handicap than their personal limitations as to ability.

They would stand equal with men before the law, instead of in a position of inferiority. They would inherit equally; they could own property, contract and engage in business even though married. Mothers and fathers would have equal guardianship of their children. Women already stand equally *amenable* to the law with men and are subject to the same penalties imposed on men for violations of law. Benefits now denied them because of sex would be theirs.

The Equal Rights Amendment would eliminate so-called protective laws based upon sex. It would then remain for each state to equalize its laws as it sees fit. Most assuredly there could be protective laws, but they would apply equally to men and women.

There could be pensions for mothers, just as there is a bonus for soldiers. All women are not mothers, so all women do not receive these pensions. All men are not soldiers, so all do not receive bonus benefits. Each is in a special classification receiving specified benefits because of a specific service. The Equal Rights Amendment would not affect such benefits.

In a state where the law provides that a man cannot sell his property without being joined by his wife, equalizing the law could be done in two ways. The husband could be brought under the same law by having it read "spouse," or each could sell independently of the other. Equality would be the yardstick.

Passage of the Equal Rights Amendment would, with a stroke of the pen, wipe out more than 1,000 discriminations. Women have worked for more than sixteen years endeavoring to accomplish this state by state, but each succeeding legislature can not only return the discriminatory laws to the statute books, but add new ones. It is like trying to bail out the ocean with a sieve.

No Substitute

Any substitute for equality is a poor substitute. These are no times for unsound experimentation. The trend in

some countries in Europe should be enough to show women of the United States the *urgency* of the Equal Rights Amendment *NOW*. Women in some countries *cannot even now* openly work for Peace and Freedom. After the damage is done, it is too late to work for Equal Rights. *Thinking* women should *scrutinize very carefully any proposal to divert them from the demand for equality.*

Women's Charter

The so-called Women's Charter is one of these proposals, regardless of the motives of those offering the Charter, which purports to stand for "full political and civil rights; full opportunity for work according to individual abilities" and in fact—"equality." Then, wittingly or unwittingly, it proposes that: "where special exploitation of women workers exists, etc.," that "such conditions shall be corrected through social and labor legislation, which the world's experience shows to be necessary." This, of course, makes impossible the accomplishment of the aims set forth as the *reason* for such a Charter. It is advocating in other words, the *same restrictive legislation,* which leaves the fate of women to the whims of *ever changing political boards and commissions,* which an Equal Rights Amendment *would never do.* It does not suggest as a remedy for exploitation of workers, that something be done about the exploiters. Regardless of the motives; even though they be of the utmost purity, the danger to women is too great for this experiment. The only limits placed on legislation that could evolve from the Charter are "social and labor legislation, which the world's experience shows to be necessary." The *uncertainty* of the interpretation of the "world's experience" *is too great, too dangerous to adopt as a principle.*

Opinions of Distinguished Persons

THE LATE DR. M. CAREY THOMAS OF BRYN MAWR:

"We women of the older and of the present generation must combine together to make sure by passing the Equal Rights Amendment that all women 'throughout the United States and every place subject to its jurisdiction' shall have equal legal and industrial rights with men to their children, to work, paid by the job and not by the sex of the worker; and the pursuit of happiness."

ANNIE W. GOODRICH, *Dean Emeritus, Yale School of Nursing*:

"It is my belief that the Equal Rights Amendment is one of the most important steps in furthering the progress to which we all subscribe. The great changes that have come in the past century in the industrial and social life on this continent demand for the protection of future generations that political power which can only be insured by the recognition of the joint responsibility of men and women in all matters of concern to the people.

"There is a moral obligation in obtaining an equality of status demanded by the changes in the home life that have come through the advance in science, the development in the educational systems, and the entrance of women into the fields of occupation, education and sports. In considering protective legislation, one should consider the economic aspect. Equal pay for equal service will only be obtainable when protective legislation is no longer an excuse for differentiation."

DR. WILLIAM A. WHITE, *Superintendent of St. Elizabeth's Hospital, Washington, D. C.*, who only recently passed away:

"I have long been convinced that the Equal Rights Amendment is in the best interests of women and will be a step in freeing them from burdens of distinctions alleged in their favor but which are seemingly always cleverly adjusted to their detriment. There are many reasons, in my own mind, why this Amendment should be passed, and I know of none that run to the contrary."

AMELIA EARHART, *St. Louis Post-Dispatch*:

"The most important subject today is the modern economics—not merely supply and demand. * * * When women really know about economics, take the long view of the subject, they will abandon this sentimental attitude about protective legislation for women, ~~minimum~~ maximum hours and minimum wages for women. Limited hours and limited pay only prolong the infantile period of women and work to the disadvantage of those who want to progress. Wages should be based on work, not sex nor any other consideration. The problem should be, not minimum scales for women but minimum scales for everybody."

LAVINIA DOCK, *Distinguished Public Health Nurse*:

"The Woman's Charter offers to throw women back into a class with children. The result would be to continue the legal blight of 'women and children which has been so disastrous to the *children*, preventing a straight-forward protection of them."

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JAMES TRUSLOW ADAMS

ENDORSES THE

Equal Rights Amendment

IT IS my belief that the Equal Rights Amendment which reads "Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction" should be written into the Constitution where it will supplant the old idea that women are people only when rights are specifically granted to them.

A review of the interpretations of the law shows that in the absence of specific statutes giving women legal rights, rights are often denied. In a democracy women should have the same rights as men which is now more or less universally accepted as the result of the amendment giving women the vote. I am very glad that the Republican Party has adopted a plank stating that "We favor the submission by Congress to the States of an amendment to the Constitution providing for equal rights for men and women" and I hope that the Democratic Party will do the same.

It is needless to point out the great part which women have had in the making of this United States on pioneer farms and in modern professional practice. I am not only willing but am strongly in favor of completely equal rights for men and women as for all other citizens of the country.

JAMES TRUSLOW ADAMS.

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Missouri Laws Discriminating Against Women

The husband owns his wife's services.

Laws for recovering damages discriminating against wife.

A married woman is unable to choose legal domicile.

Grounds for divorce discriminate against women.

Women are disqualified for jury service.

Marriage revokes a woman's will.

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ALTHOUGH Missouri has abolished or modified many discriminations against women, there remain injustices in both the statutes and the common law.

The National Woman's Party is urging the Missouri Constitutional Convention, which is now revising the State Constitution, to remove all discriminations against women so that recognition of woman's political and legal equality may become anactuality in Missouri.

State digests compiled by Legal Research Department of the National Woman's Party.

Research Secretary, Burnita Shelton Mathews, L. L. B., L. L. M., Member District of Columbia Bar.

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The Wife's Services Belong to the Husband.

The ancient common law still prevails in Missouri according to which the husband owns his wife's domestic services.[1] The wife on the other hand has no right to her husband's services.[2]

An instance of where the wife's domestic services are considered the husband's property is seen in the court's refusal to allow her a share of the property which she and her husband have together accumulated.

For example, in a divorce case:

The court refused a Mrs. Motley, when a divorce against her was granted her husband, a share of a fortune which she had helped her husband to build up by her labor as his wife on their farm. Although an invalid, at the time of the suit, the wife was unable to obtain, in the form of alimony or in any other way, even a bare maintenance out of the fortune accumulated by their mutual efforts. This even when it was conceded that she had been an economical and industrious woman who had contributed twenty-five years of her life toward the accumulation of their property.[3]

The Husband Receives Damages for the Loss of His Wife's Services.

Since the wife's services belong to the husband, the husband and not the wife has the right to recover damages for the loss of these services.

For instance:

A Mrs. Womack lost her suit for injuries received in an accident, at which time she had been severely hurt. As she had been too incapacitated to continue her domestic services her husband brought suit on the grounds that during the time of her illness he had been denied her companionship and her domestic services. Although the court failed to render a favorable decision in the case of the wife, refusing her damages, it was declared that this refusal to grant her damages did not to any extent affect or bar the husband's right to sue for the loss of her services.[4]

A Mrs. Winkler, a Pullman car cleaner, was granted damages for personal injuries received in an accident but could not recover damages for the loss of her services in the home.[5] *Her husband was then granted damages for the loss of his wife's services.*[6] *The damages for these services she could have collected had she been unmarried.*

The wife has no corresponding right to recover for the loss of the husband's services.[7]

Discrimination Against Wife in Suits for Loss of Cmpanionship.

Although the husband is granted the privilege of recovering for the loss of his wife's society, as an element in suits for damages in personal injury cases,[8] the wife is refused the corresponding right.

For instance:

A Mrs. Bernhardt's husband became an invalid through injuries received in an accident. Mrs. Bernhardt sued for damages on the grounds "that she had been denied care, protection, consideration, companionship, aid and society of her husband, which he would have rendered her had not the accident occurred, and that in the future she will be denied the same."

The court failed to render a favorable decision, even when it was emphasized that the husband would never be able to give his wife the care and attention previously accorded her, and held that neither under the common law nor under the statutes, could she recover damages.[9]

A Married Woman is Unable to Choose Her Legal Residence.

The legal domicile of the wife follows that of the husband wherever he moves his domicile.[10] Any whim of the husband, therefore, can determine, by his selection of a domicile, where his wife is to be taxed, where she must vote, where she must run for office, and where she must be sued. This notwithstanding the fact that the wife may have independent resources for establishing a home.

Grounds for Divorce Discriminate Against Women.

If a wife was pregnant at the time of her marriage without the knowledge or agency of her husband, he be-

comes entitled to a divorce.[11] The wife on the other hand, is not entitled to a divorce if, without the wife's knowledge, any other woman was pregnant through the agency of her husband at the time of their marriage.[11]

Women Are Disqualified for Jury Service.

According to both the Constitution[12] and the statutes,[13] women are ineligible for jury service.

The Attorney General of Missouri has given the following opinion on the subject:[14]

> *"It is the opinion of this department that until the legislature amends the law covering grand and petit juries, women will not be eligible for jury service. As the law now stands, it reads as follows:*
>
> "Sec. 6607, R. S. 1919, Every juror, grand and petit, shall be a male citizen of the state."

Minor Female Wards Are Not Protected to the Same Extent as Male Wards in the Matter of Guardianship.

In the settlement of estates left under the control of guardians, the law does not protect female wards as closely as it does male wards. Although the legal age of majority in Missouri for both men and women is twenty-one years, the guardianship of a minor female ward ends when she marries.[15] The settlement of the estate of the male ward is delayed until he reaches his majority—that of twenty-one years.[15] Settlement of the female ward's personal estate is made either at her majority, or on marriage. This seems a strange inconsist-

ency in the law, which grants the entire property of a male ward protection until his majority, but places the personal property of the female ward at the mercy of her own immature judgment, or that of her husband's who may be equally immature.

A Married Woman's Will is Revoked by Marriage.

The statute reads: *"A will executed by an unmarried woman shall be deemed revoked by her subsequent marriage."*[16] On the other hand, marriage alone does not revoke a man's will, but it stands intact, with the exception of the widow's share.[17]

Doubt as to Right of Married Women to Convey Title to Own Real Estate.

According to the statutes the transfer of the wife's real estate can only be made when the husband unites with the wife in conveying the title to her real estate.[18] A court decision, however, has construed the Married Woman's Act as making valid a deed transferring real estate belonging to the wife, which was signed by the wife alone. Though this decision has not been reversed, the language of some subsequent decisions appears to throw some doubt on the correctness of the ruling in this case. This contradiction between the extension of the Married Woman's Act to cover the right of the wife to transfer her property without her husband's joining in the deed, and the language of the statute with regard to conveyance of the wife's property by joint deed, may

well give rise to decisions hostile to a married woman's right to convey the title to her own real estate.[19]

The Father Alone Awarded Damages for Seduction of Daughter.

It would seem that both the father and mother should be accorded the right to sue for damages in case of a daughter's seduction, since in Missouri, both the father and mother are entitled to a minor child's services. Yet in one recent instance, *although it appeared that the mother was living, the father alone was allowed to bring an action against his daughter's seducer—and he alone was awarded damages for the loss of her services.*[20]

References.

References are made to the "Revised Statutes of Missouri," to judicial decisions and other authorities.

[1] 232 S. W. 482; 185 Mo. 274.
[2] 276 Mo. 612.
[3] 93 Mo. App. 473.
[4] 201 Mo. 467.
[5] 227 S. W. 625.
[6] 232 S. W. 482.
[7] 276 Mo. 612.
[8] 201 Mo. 467; 232 S. W. 482.
[9] 276 Mo. 612.
[10] 199 Mo. App. loc. Cit. 62; 56 Mo. 329.
[11] Section 1801.
[12] Constitutional Art, 2, Sec. 28.
[13] Sec. 6607.
[14] Letter Attorney General of Missouri.
[15] Sec. 426.
[16] Sec. 510.
[17] Sec. 509.
[18] Sec. 2175-6.
[19] Sec. 315.
[20] 205 S. W. 69.

NOTE—Additional copies of this leaflet may be secured from the National Woman's Party, First and A Streets, N. E., Washington, D. C., in quantities of 100 or more for $2.00 a hundred. Single copies, 5 cents.

Digests of the laws of Missouri concerning women, giving the statutes in full and court decisions in detail, may be secured for $2.00 each. Digests of other States are obtainable at $1.00 and $2.00 each.

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Headquarters, First and A Streets, Northeast, Washington, D. C.

WILL YOU NOT HELP TO REMOVE DISCRIMINATIONS IN THE LAW AGAINST THE WOMEN OF MISSOURI AND OTHER STATES BY JOINING THE WOMAN'S PARTY AND SUPPORTING ITS CAMPAIGN FOR "EQUAL RIGHTS" LEGISLATION? TEAR OFF AND MAIL WITH DUES ENCLOSED, THE MEMBERSHIP BLANK BELOW.

Object:	The removal of all forms of the subjection of women.
Membership:	Open to all women who will work for this object without regard to the interests of any political party.
Annual Dues:	$10.00, to be shared equally between State and National headquarters.
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	Founders—$90.00 in addition to annual dues of $10, payable to National headquarters before November 12th, 1922.
	Life Membership—$1000.00, no further dues, payable to National headquarters.

I hereby enroll as a.....member, enclosing.....dues.

Name.....

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National Woman's Party

How Maryland Laws Discriminate Against Women

Fathers are given practically complete control over their children and mothers almost no control.

Fathers can will away children from the mothers.

A married woman cannot choose her legal domicile.

A married woman's services and frequently her earnings belong to the husband.

The inheritance laws discriminate against women.

The divorce laws discriminate against women.

Women may not serve on juries.

Women may not hold various public offices.

The laws for sex offenses discriminate against women.

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25 FIRST STREET N. E. WASHINGTON, D. C.

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MARYLAND laws, like those of most of the states, are based upon the old English "common law" brought over to this country by the early colonists. All women were, according to the common law, legally inferior to men. The married woman's property, her services, her earnings and her children belonged to her husband.

Maryland has modified the common law by statute in some instances. But in numerous and important respects this old conception of women's legal inferiority is still expressed in the laws of the state. Today the mother is not the legal guardian of her own child. The wife does not completely own her own labor or her earnings. Women are not permitted to hold certain offices nor to serve on juries.

The National Woman's Party is working to remove these disabilities, so that women, as mothers, as wives and as citizens, will have the same protection under the law as men.

Will you not help abolish these disabilities from which women still suffer? You can do this by giving your support to the Woman's Party campaign.

661395

How Maryland Laws Discriminate Against Women

Mothers Not Equal Guardians of Children.

The Maryland law considers that the mother's right to her child is inferior in every way to that of the father.[1] The old common-law rule that the father is the natural guardian of his minor legitimate children and has the first right to their custody, services, earnings and control still exists, unchanged, today in Maryland.[1] So long as the parents live together, the father alone has the right to control the children's upbringing, to decide their religion, their education, when they shall go to work, what work they shall do.[2] He, not the mother, owns their services and their earnings.[3] "The mother has no legal interest in the . . . earnings" or services of her children.[4] She is entitled, the law condescendingly states, "only to reverence and respect." [4]

Should the parents separate, the court may in its discretion grant the custody of the children[5] to either parent.[6]

The Father Can Will Away the Guardianship of Children From the Mother.

Maryland is one of the few states where it is still possible for a father to appoint by will a guardian for his children other than the mother,[7] and in spite of the opposition of the mother. It is therefore possible for a father in Maryland today, just as in ancient times, by his will to tear

young children from their mother's care,[7] and to hand them over to a stranger, or to some one whom the mother thinks entirely unsuited to bring up the child.

Thus one of the most unjust and cruel features of the common law of olden times still remains in force in this state to threaten the happiness of twentieth-century mothers and their children.

The Father Has Entire Control of the Labor and Earnings of Children; the Mother Has No Such Control.

The only exception is when the father is dead[8] or a deserter.[9] Since the father alone owns the labor and earnings of his children,[10] he alone may sue for a wrongful injury to the child (not resulting in death), the theory being that such an injury to the child is a property loss to the father, since it deprives him of his child's services.[11] If damages are awarded they go to the father and not to the mother, to be disposed of as the father sees fit.

For the same reason, it is usually the case that the father alone can sue for the seduction of his daughter[12] and that neither the mother, nor the daughter herself, can sue for the daughter's seduction. The law considers the relationship between father and daughter in this case that of master and servant,[13] and the court has said that the "legal control of the father over the person of the daughter and his right to her services continue until she attains the age of twenty-one." [14] If the father is dead, a widowed mother may sue, but even after the father's death, the mother's rights are not equal to those of the father before his death, since the mother is entitled to the services of her daughter only until the daughter reaches the age of eighteen.[15]

The difference in the attitude of the law toward the father's rights and those of the widowed mother in this case is clearly shown in the following instances:

A father sued for the seduction of his daughter, and the question arose as to how long the father was entitled to his daughter's services. The court ruled that the daughter's services belonged to her father until she was twenty-one, stating that "much evil" would result from a decision "permitting females to leave their homes, freed from all parental authority, at the age of eighteen." [14]

In the case of a widowed mother who sued for the seduction of her daughter, the court ruled that the daughter's services belong to a widowed mother only until she (the daughter) is eighteen.[15] *Apparently the court was not concerned with safeguarding the "parental authority" of the widowed mother nor with the need of protecting young girls of eighteen who have no fathers, from their own mistakes or imprudences.*

The Father Alone May Appoint a Child as Apprentice.

Any father may bind out his minor child as an apprentice on reasonable terms.[16] The mother has no right to do this even if she be a widow.

For instance:

A Mrs. X, a widow, signed a contract with a corporation in Baltimore by which she undertook to bind her son John for five years as an apprentice to learn the trade of glass blower. The court ruled that "contract of apprenticeship executed by the mother is simply void," and that only a father might bind his son as an apprentice.[17]

The Married Woman May Not Choose Her Legal Residence.

The ancient rule still holds in Maryland that the husband alone has the right to choose the legal residence for himself, for his wife[18] and for his children. This means that for voting purposes, taxing purposes, and for all other legal purposes a wife has no other domicile than that of her husband and no right to establish a separate legal residence for herself.[18] Should the husband, for instance, maintain a voting residence in another state while actually living in Maryland, the wife would have to journey to that other state in order to vote. She would have no right to vote in Maryland for any purpose.

Divorce Laws Discriminate Against Women.

Maryland divorce laws discriminate against the wife in favor of the husband. If before the marriage and without the husband's knowledge a wife has been unchaste, the husband may secure a divorce.[19] Lack of chastity on the part of the husband previous to the marriage is not a ground for divorce for his wife.

A Wife Is Legally an Irresponsible Person.

A curious relic of the old English common law still survives in Maryland by which it is assumed that a married woman is not responsible for a felony (other than treason or homicide) when committed in the presence of her husband. The theory of the old law still persists that she is "under the dominion of her husband," and in subjection to him and acts "under his coercion and consequently without guilty intent." [20]

The Wife's Services and Her Earnings in the Home Belong to Her Husband.

According to Maryland law "a husband is entitled to the benefit of his wife's services." [21] This means, first of all, that the wife has no right to a money return for her services in the home.[21] In many instances, it so modifies the interpretation of the "married woman's acts" as to give the husband the right to his wife's earnings for services rendered to people other than the husband.[22] To establish her legal right to retain her earnings as her own property, the wife must produce evidence to show that she has definitely chosen to work as an independent person.[23] How difficult it is for the wife to prove this, and therefore to claim the money she receives for her work as her own, is shown in these cases which have come before the Maryland courts:

A Mrs. X, a married woman of Baltimore, took care of a sick woman in her home. She washed and ironed for the sick woman and rendered her services "as nurse and attendant" for a period of two years. The sick woman, Miss Y, said she would pay for the services, but died without having done so, and Mrs. X sued Miss Y's estate for the value of her services. The court said that Mr. X could recover for these services, but that his wife could not, in spite of the law which says that a married woman "who by her skill, industry and personal labor shall earn any money" may keep the same as her property. In the words of the court: "It was the husband's right that the wife should work with and for him, and it was natural that she should, and if she did, he was entitled to pay. In such case there is no division of profit as between partners in business. If

the wife desires to bring herself within the exception and provisions of the law" granting married women the proceeds of their own labor "the evidence must be such as to prove her strictly within this meaning and protection." Circumstances must show that she had specifically elected to work for herself.[24]

Another case was that of a Mrs. Y, who boarded with a Mr. and Mrs. X of Baltimore. Mrs. Y had applied to the wife for board and was told that she would be taken as a boarder if the husband did not mind. The husband did not object and so Mrs. Y agreed to pay $3.00 a week. When she died without having paid her board bill, Mr. X sued her estate for the amount of the bill. The court rendered a judgment in his favor, saying that "the testimony . . . fails to show conclusively that the wife contracted to furnish lodging and board on her separate account" and that the husband was, therefore, entitled to the pay for the work done by his wife.[25]

Still another case was that of a Mrs. X, a married woman of Washington County, who nursed a man during his last illness. He was cared for in her home. He failed to pay for his care and Mrs. X brought suit. The court decided that she could not recover any money for her services because "it was the husband's right that the wife should work with and for him . . . and if she did, he (the husband) was entitled to compensation." The court added that the wife might work for her own benefit if she actually elected to do so, but that the circumstances of this case did not show "that she elected . . . to act as an independent person," although Mr. X actually went on the witness stand to testify that he did not claim compensation for the

services rendered by his wife and that "he allowed his wife to do business on her own account, and that she sold butter and eggs and did marketing as an independent person," and that the "nursing she did on her own account," but the court ruled that this evidence did not come up to the strict requirements of the married woman's law.[26]

The Husband Receives the Money Damages for Injury to His Wife.

If a wife is injured through the negligence of another (these injuries not resulting in death),[27] the husband may sue for the loss of his wife's services, which are, according to the law, his property.[27] The wife may only sue for damages for her pain and suffering and can recover nothing for the loss of her services and earning power.[27]

On the other hand, the wife has no such property right in her husband's labor. If he is injured, he alone may sue and all the damages awarded are his.[28]

For instance:

A married woman sued to recover damages for loss of support and "consortium," resulting from an injury to her husband occasioned by the negligence of his employer. The husband was a hodcarrier employed as one of the hands in the building of an apartment house. An elevator became beyond control and as a result the husband was thrown down, his leg broken, other injuries suffered, and was confined for a long period in the hospital. The court denied the wife the right to sue for damages, replying to the argument that the passage of the "Married Woman's Acts" gave the wife the same right to sue that the husband has in simi-

lar cases, by saying that in spite of such new laws, a "right may exist in the husband which . . . is without a correlative right in the wife." There is not, in spite of the Married Woman's Act, the court added, a "parity of right upon the part of both husband and wife." [28]

Inheritance Laws Discriminate Against Women.

In inheritance of both personal property and real estate the male line is often preferred to the female line. For example, the grandfather is preferred to the grandmother.[29] The eldest son (if he is of age) is preferred to the extent that the law gives to him first choice among the children of taking either the property intact (where the estate cannot be divided without loss) and paying the other heirs their share in money or himself taking a money share.[30] The court said, with reference to this provision of the law, that it retains "to a certain extent the common-law idea of the superiority in right of the eldest male heir." [30]

Laws Concerning Administration Give Preference to Males.

In the granting of letters of administration for the estate of deceased persons women are also discriminated against.[31] For instance, when males and females are in the same degree of relationship, the male is always preferred.[32] That is, the father is preferred to the mother, a brother to a sister, an uncle to an aunt, etc. Relatives on the father's side are always preferred to relatives on the side of the mother who are in equal degree of relationship.[33] An unmarried woman is always preferred to a married woman.[34]

Women May Not Serve on Juries.

The Maryland law restricts jury service to "male inhabitants," [35] so that women are still completely barred from jury service. The Maryland supreme bench at Baltimore has held that the passage of the suffrage amendment has not removed this disability and that under the laws of Maryland women have no right to perform jury service.[36]

Women May Not Hold Certain Offices.

Although there seems to be no provision in the Maryland state constitution forbidding women to hold public office, the attorney general of Maryland has rendered an opinion that the wording of city charters confines certain municipal offices entirely to men.[36]

Penalties for Sex Offenses Are Not Equal.

A white woman who has a child by a negro or mulatto may be sentenced to the penitentiary for a number of years.[37] A similar act by a white man is not punished in any way. He can, under the existing law, have any number of children by a negro woman and receive no punishment.

References are made to the following sections of the Maryland Code, Court Decisions and Authorities.

[1] 106 Md. 262; 64 Md. 435; 32 Md. 50; 28 Md. 370; 6 Md. 476.
[2] 29 Cyc. pp. 1584–5.
[3] 20 Ruling Case Law, p. 607; 24 Md. 107; 60 Md. 340.
[4] 20 Ruling Case Law, p. 633; 24 Md. 107.
[5] Art. 16, Sec. 38; Art. 42, Sec. 20.
[6] 22 Md. 337; 106 Md. 255.
[7] 49 Md. 450; 71 Md. 317; Alex. Brit. Stat. 466; Harlan's Dom. Rel. in Md. p. 82.
[8] 60 Md. 340.
[9] 125 Md. 157.
[10] 20 Ruling Case Law, pp. 614; 106 Md. 262.
[11] 64 Md. 426.
[12] 20 Ruling Case Law, pp. 614–5; 125 Md. 157.
[13] Art. 75, Sec. 30; 28 Md. 370.
[14] 28 Md. 370.
[15] 5 Md. 211; 28 Md. 370.
[16] Art. 6, Sec. 20.
[17] 68 Md. 64.
[18] 127 Md. 118; 56 Md. 127.
[19] Art. 16, Sec. 37; 135 Md. 697.
[20] 49 Md. 460; 113 Atl. 620.
[21] 72 Md. 321; 132 Md. 571.
[22] 116 Md. 512; Art. 45, Sec. 1–6.
[23] 85 Md. 645; 132 Md. 571.
[24] 65 Md. 474.
[25] 116 Md. 512.
[26] 72 Md. 321.
[27] 13 Ruling Case Law, p. 1434; Harlan's Dom. Rel. in Md. p. 74.
[28] 104 Atl. 538.
[29] Art. 93, Sec. 131; Art. 46, Secs. 1–4.
[30] Art. 46, Sec. 44–9; 60 Md. 573.
[31] Art. 93, Secs. 18–58.
[32] Art. 93, Sec. 23.
[33] Art. 93, Sec. 29.
[34] Art. 93, Sec 27.
[35] Art. 51, Sec 6.
[36] Letter Attorney General, January 24, '22.
[37] Art. 27, Sec. 370.

NOTE: Digests of the laws of Maryland (and of other states) concerning women, giving the status in full and court decisions in detail, may be secured from the legal research secretary of the National Woman's Party, 25 First Street, N. E., Washington, D. C., for $1.00 each.

Additional copies of this leaflet may be secured from the same address in quantities of 100 or more for $2.00 a hundred. Single copies free.

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Florida Laws Discriminating Against Women

The father controls the services and earnings of children.

A married woman cannot choose her legal residence.

A married woman does not control her own property.

A married woman has practically no right to contract or do business on her own responsibility.

A married woman's services belong to her husband.

Inheritance laws discriminate against women.

Women cannot serve on juries.

Women are not admitted to the University of Florida on equal terms with men.

NATIONAL WOMAN'S PARTY
25 FIRST STREET N. E., WASHINGTON, D. C.

Oberlin College Library

JAN 7 1955

FLORIDA'S LAWS, like those of nearly all the States, are based upon the old English "common law," which considered women legally inferior in every respect to men.

To an astonishing extent the statutes of Florida today express this old common law conception of women as a subordinate class. The restrictions placed upon the married woman in regard to her own property and in regard to her right to contract are illustrations of how the legal standards of a past age continue to work injustice to the women of the twentieth century.

The discriminations against women in the Florida laws, which are outlined in this leaflet, may be removed by the passage of a woman's "bill of rights," which has been drafted by the Woman's Party. A campaign for the passage of such a bill will be carried on during the next session of the Florida legislature.

The success of this bill would secure for the women of this State the equal protection of the laws with men—to which, according to the standards of justice and of right, they surely are entitled.

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How Florida Laws Discriminate Against Women

The Father Controls the Services and Earnings of Children.

Florida's equal guardianship law passed by the 1921 session of the Florida legislature provides that "the mother jointly with the father shall be the natural guardian of their children during infancy."[1] However, the laws do not provide for joint control of the services and earnings of children and hence the common law rule that the ownership of a minor child's services and earnings is solely in the father remains unchanged.[2] The ownership by the father of the labor and earnings of a minor child carries with it the right to sue for damages for the loss of services and earnings when the loss is occasioned by a wrongful injury to the child.[2] As between father and mother this right belongs to the father.[3]

In a similar way "the right of action for the seduction of the infant daughter rests exclusively in the father if living, when the actual or constructive relation of master and servant is shown, he being entitled to the profits of her labor."[4] This is the common law rule. If the father is dead the mother may sue for the seduction of her daughter.[4]

The law further shows preference for the father in that, it says, whenever the *death* of a minor child is caused by the negligence of another "the father of said minor child, or if the father be not living, the mother may maintain an

action"[5] against the individual or corporation responsible. In such cases the father may recover not only for the loss of the services of his child but also for his "mental pain and suffering" and the "mental pain and suffering" of the mother. All such damages awarded by the courts, including those awarded for the mother's pain and suffering, go to the father.

For instance:

The thirteen-year-old son of Mr. and Mrs. X, of Duval County, Florida, was thrown off the steps of a crowded train by sudden and violent jolting. He fell under it and was crushed to death. Mr. X filed suit against the railroad company for damages for (1) loss of the child's services, (2) his (the father's) mental pain and suffering, and (3) the mother's mental pain and suffering on account of the child's death. When the father's right to recover damages for the mother's mental pain and suffering was questioned, the court said that a mother had no right to sue for such damages at common law or by statutory law but that, on the other hand, the legislature had seen fit to "empower the father to recover for the mental pain and suffering of the mother" and that the rule thus established was neither "arbitrary" nor "unreasonable." Damages for loss of the child's services and the mental pain and suffering of both parents were payable to the father alone." [6]

The Mother is the Sole Guardian of the Illegitimate Child.

The unmarried mother is the only legal parent of her illegitimate child. "In so far as bastards are concerned

they have no fathers recognized as such by any law."[7]. The mother has the "superior legal right over all others to the custody and control"[8] of such a child. Sole liability for the care and support of the illegitimate child rests upon her unless she files a bastardy complaint against the father and wins the suit, in which case the highest sum the father can be compelled to pay is $50.00 a year for ten years toward the child's support and education, plus the expenses of the birth of the child.[9]

It is exceedingly difficult for a woman to secure any redress through this bastardy law. Not only does it entail humiliating publicity but it is so complicated by the strict technical procedure required by the law that the mother often finds that she has lost her case through a legal technicality.

The wording of the law is that "any single woman" who has an illegitimate child may file a complaint against the "putative" father.[9] The difficulties in securing a verdict under this statute are illustrated by the following cases:

For instance:

Miss X of Clay County filed a complaint against W, stating therein that she accused W of being the father of her illegitimate child. The court dismissed the complaint because Miss X failed to state in it that she was "a single woman" and such a complaint can not be amended. A recital by the magistrate before whom the complaint was made that Miss X was a single woman was held insufficient.[10]

In another case:

Miss X of Leon County filed a bastardy complaint stating that she was a single woman and that on a certain day a

*child was born to her. She named Y as the father. The court said: "All that may be true and yet not make a case of bastardy. When the child was begotten she may have been for aught that appears a married woman * * * and if she was it was not a bastard, for the law is that a bastard is one that is not only begotten but born out of lawful matrimony. Hence the statute requires that it must be a child who by law would be deemed and held a bastard." In the complaint "this is not alleged in the words of the statute" and such a "defect is fatal."*[11]

A Married Woman Does Not Control Her Own Property.

A wife's statutory separate property (that owned by her before marriage or acquired afterwards by gift, inheritance or purchase) "remains under the care and management of the husband."[12] The husband is not permitted by law to charge for the management of his wife's property nor is the wife permitted to sue her husband for the rent or profits of her property or to require an accounting from her husband for his proper use or misuse of the estate.[12]

Moreover, if a wife wishes to sell, mortgage or transfer her statutory separate property she must secure her husband's consent and must be joined by him in the sale, mortgage or transfer of the property.[13] In the eyes of the law it does not matter how capable a married woman may be, she is powerless to sell or convey any part of her real estate without her husband's consent—even though he may be a drunkard.[14] The husband on the other hand may do as he pleases with his property, irrespective of the wishes of his wife, except in the case of the homestead (not more than

one hundred and sixty acres, or one-half acre in a city or town). The wife's consent is necessary to the sale or mortgage of such a homestead.[15] The only restriction in the wife's favor in the case of property other than the homestead is that if the husband sells it the wife may, at his death, claim her dower from the person to whom it was sold.[16]

An illustration of the working out of this law giving the husband control of his wife's property and not permitting her to secure an accounting from her husband for his management is found in the following court case:

*Mrs. X obtained a divorce because of her husband's habitual intemperance. During the marriage they lived on her plantation in Gadsden County. Her lands were under her husband's control and management. When the divorce was decreed Mrs. X asked for an accounting of the rents and profits of these lands. The court pointed out that the law provides that the wife's separate property shall remain under her husband's care and she shall not maintain a suit against him for the profits of said property and as "the policy of this State is to give to the husband the use and profits of the lands received during coverture * * * he is not under obligation to account to her therefor."*[17]

Another case:

Mr. and Mrs. X were married in a State where the law made a husband trustee of his wife's property with the provision "that if from imbecility, intemperance or other cause a husband becomes incapable" of discreet management of his wife's estate "he shall no longer have any control over the property." Mrs. X had at the time of the mar-

riage $4,800 *worth of personal property,* $1,800 *of which was money. After marriage the husband led a wild and roving life and in two years' time "managed to get rid of every vestige of the trust property" save a mere pittance. Because of his intemperance, infidelity and inability to provide, Mrs. X left him and as he was temporarily living in Florida she petitioned a Florida court to remove him as trustee of the pittance left of her property. The court said: "It may be admitted, that a man of average capacity, commencing with this capital" (the wife's property) "might, by prudence, industry and economy, have supported himself and family and gradually increased his original stock." But there is a "higher object and purpose in the courts than the * * * preservation of property," namely, "the amendment of the husband and the restoration of proper relations between husband and wife. More leniency should * * * be extended a husband trustee than would prevail in the ordinary case of such relation." Evidence "shows a looseness of conversation and wantonness on the part of defendant (husband), in ill accordance with the chasteness of one holding the relation of a married man * * * Yet there is no direct proof of criminality, and it can only be inferred from his presence at improper places and the report of his wild and reckless expressions. Yet with all this we are not satisfied that this criminality * * * compelled her" to leave him. After criticising the wife's uncle (who acted as her "next friend") for having "spread the husband's disgrace upon the public records," over so insignificant a matter as a wife's samll amount of property, the court termed itself the "Temple of Justice" and refused to disturb the husband's control of his wife's property. This case was*

decided according to the Florida court's interpretation of a statute (cited above) of another State but it is a fair example of the illiberal construction which Florida courts place upon statutes concerning the rights of married women.[18]

Married Women Do Not Have the Right to Contract or Do Business on Their Own Responsibility.

Under the Common Law "speaking generally and broadly" a married woman "could make no contract of any kind."[19] Except as modified by a few narrow laws giving a married woman limited rights of contract in connection with her separate property, the Common Law on this subject remains the law of Florida today.[20] It is, therefore, almost impossible for a married woman to engage in business in Florida, since she has no power to make a contract which is binding on her personally.[21] In this respect she is considered by the law as irresponsible as minors or the insane, no matter what her abilities or qualifications may be.

Her husband, on the other hand, no matter how imprudent or ignorant, has full power to enter into any contract.

A court case illustrating the subordinate position of the married woman in this respect is as follows:

Mrs. X, a married woman of Pensacola, attempted to engage as a merchant in partnership with two other persons. When a controversy arose as to the legality of the partnership agreement, the court said "to establish a partnership between two or more persons the parties must be capable of contracting to regulate the terms of their joint enterprise

*the * * * business in which such partners are to engage and the length of time it is to last. These are all obligations of a purely personal character. When one of the parties is without the legal capacity to assume these obligations, as a married woman is, there can be no legally existing partnership between them. She has no separate legal existence, her husband and she being in contemplation of law but one person. To make an agreement of partnership requires a contracting capacity which is not possessed by a married woman."*[22] *Decisions in accord with this have been rendered as late as 1915.*

For similar reasons, the promissory note of a married woman is void. "The constitution and statutes do not enable the wife to bind her person either at law or in equity."[23]

Not only do such provisions of the law make it almost impossible for a married woman to engage in business but they also restrict the wife in the management of the household. The following court decision points out that a married woman does not have the capacity to hire domestic servants, even when keeping boarders to support the family:

Mr. X, of St. Johns County, Florida, during the last years of his life was blind, feeble and had various ailments which necessitated constant care and attention. Mrs. X transacted his business for him and in addition kept boarders to support the family. Her work could not be done without help. A question arose as to her capacity to hire domestic servants to assist her. The court said that a married woman did not have the capacity to hire domestic servants or to bind herself for the payment of their wages, but since in this case the services of servants "were actually neces-

sary" she could "as the agent" of her invalid husband hire servants and that all such hirings would be treated as hirings by the husband.[24]

A few rights of contract have been granted by statute to married women in connection with their separate property but these are exceedingly limited.

For instance, under the State constitution a married woman is given the right to buy property, to contract for something which will benefit her separate property, or for the price of labor or material used for improvements on her property.[25] But her agreement must usually be in writing and it must be only for the very specific purposes mentioned.

When Mrs. X of Orange County entered into an unwritten agreement with a real estate broker whereby she was to pay him a commission for the sale of her property this agreement was declared null and void.[26] *In this case the court expressed doubt as to whether or not the law authorized such a contract with a married woman even if it were written.*[26]

Usually, in order to rent, mortgage or sell her separate property a wife must be joined by her husband. The one exception allowed by the law is if the husband is insane and has been so adjudged by the court, and has continued in such condition for one year.[27] Under such circumstances the wife is permitted to rent, mortgage or sell her own property and receive the proceeds for the same, her contracts in this case being lawful and binding without the consent of the husband.[27]

The only other circumstance under which a married woman's contracts in relation to her separate property are considered legally binding is if she goes through a com-

plicated court procedure to prove her qualifications and abilities in the management of her own estate.[28] This is what she must do if she wishes to have the right to take charge of her own property and to become "a free dealer in every respect:"[28]

First, she must apply by petition in chancery to the Judge of the Circuit Court in her district for a license. Before the court will entertain her petition she must give newspaper notice in her County once a week for four successive weeks that she intends to apply for this license. Then when the petition is filed the matter is referred to a "master of the court" who makes inquiry as to her capacity to take charge of her own property and then prepares a report for the judge. After this report is filed and testimony has been taken, if the judge is satisfied as to the capacity of the married woman, he may grant her a license to control her own estate and to act as a free dealer. Thereupon the applicant must publish a copy of the decree granting the license once a week for four consecutive weeks in the newspapers. After she has done this she is then considered authorized to control her own property, to contract and be contracted with, to sue and be sued and "to bind herself in all respects as fully as if she were unmarried."[28]

Imagine the possibility of such a procedure being expected of a married man before he may act in connection with his property!

And it must be remembered that this concession of the law in favor of the married woman's right to contract applies only to her separate property (that she has before marriage or that which she has earned separate from her husband or purchased or is given after marriage).[29] A wife

has absolutely no rights of contract in connection with property which she may assist her husband to accumulate by her industry and thrift in the household.

A Wife's Services Belong to Her Husband.

The Common Law rule that the wife's services in the home belong to her husband is in force today in Florida.

Since the husband owns his wife's services he has the right to sue for damages for loss of these services occasioned by an injury to the wife through the negligence of another.[30] Therefore when a wife receives a wrongful injury, not resulting in death, two actions for damages may be maintained, one by the wife for her pain and suffering and the other by the husband for the loss of her society and services.

For instance:

Mrs. X was a passenger on an electric car in Pensacola. An accident was caused by the motor of the car coming up from under the trap doors so that the trap doors were thrown violently against the feet of Mrs. X and serious injuries caused to her. Mrs. X recovered as damages for personal injuries the sum of $5,400. Her husband recovered for medical attention, his loss of her society and services, the sum of $3,221.[30]

When, on the other hand, the husband receives a wrongful injury not resulting in death, he alone is entitled to sue and to receive the entire damages awarded.[31]

Inheritance Laws Discriminate Against Women.

Women are, generally speaking, discriminated against in the inheritance of real and personal property when there is

no will. For instance: a grandfather is preferred to a grandmother;[32] a great-grandfather to a great grandmother, "and so in other cases without end passing to the nearest lineal male ancestors and for the want of them to the lineal female ancestors."[32]

Moreover when a minor child (leaving no husband or wife or descendants) dies having real estate or personal property such property goes first to the father and only in case the father is not living, to the mother,[33] whether or not the father has neglected his responsibilities for the support of his wife and children. If there is no mother the property follows the general rule for inheritance, under which the male line is preferred to the female, as stated above.

A Married Woman May Not Act as an Administrator of an Estate Without Her Husband's Consent.

The law provides that "a married woman may be appointed administratrix but before she shall be so appointed her husband shall file his written consent to such appointment with the County Judge who shall record the same."[34] This may subject women to much embarrassment.[35]

A Married Woman May Not Choose Her Legal Residence.

The Common Law, which gives the husband the sole power to choose the family residence, is in full force in Florida today. A court decision states this rule as follows: "The husband without the wife's consent has the right to establish the family domicile and * * * it is her duty to

live with him * * * if it is reasonably possible for her to do so."[36]

Under this rule a married woman does not have the right to establish a legal residence for herself for voting, taxation or other purposes. Her husband may keep his residence in a distant State, in which case the wife would have to travel to that State in order to vote. She would have no vote in Florida.

Women Cannot Serve on Juries.

Florida provides by statute that "Jurors shall be taken from the male persons above the age of twenty-one years."[37]

A semi-official opinion rendered by the attorney general of Florida on July 5, 1921, contains the following statement: "Under the law of the State of Florida women are not qualified to act as jurors. The Federal Amendment pertaining to suffrage has no bearing whatever upon the qualifications of women as jurors."

Married Women May Be Discriminated Against in the Holding of Certain Offices.

Single women may hold office on the same terms as men but married women are apparently excluded from such offices as require the execution of bonds, since a married woman is not authorized to execute a bond which is binding on her personally.[38]

For instance:

When a county treasurer of Palm Beach County died several years ago, the Democratic Executive Committee of that county recommended the appointment of Mrs. X, a widow,

to fill the vacancy. The opinion of the Supreme Court was requested by the Governor as to the eligibility of the widow to hold this office. The court, while holding that "an adult unmarried woman" (a widow, for instance) might be appointed county treasurer, pointed out that "The Constitution requires all county officers except assistant assessors of taxes to give a bond before they are commissioned by the government and this may debar married women, who are not authorized to execute bonds that are binding on them personally."[38]

Women Students Are Not Admitted to the University of Florida on the Same Terms as Men.

The University of Florida, supported by public funds paid by women as well as men, admits only "white male students" to its courses except in the case of the Normal Department where both men and women students are admitted.[39] Women are admitted to the Florida State College for Women, the scope of which is decidedly limited in comparison with that of the University of Florida.[40]

Marriage Revokes a Woman's Will.

The Common Law rule which holds that all provisions of a woman's will, made before her marriage, are revoked when she marries, holds today in Florida.

For instance:

Mrs. X, a widow of Duval County, executed her last will leaving to her son all of her estate. The will made no reference to her future husband. Mrs. X later married and died a short time afterward. The court held that the hus-

band was entitled to share the estate equally with the son, stating that "we therefore hold that the will of Mrs. X a revocation of her prenuptial will."

On the other hand, if a man marries after making his will, the will stands intact except for the dower and personal property allowed by law to the widow.

For instance:

*Mr. Y, of Duval County, made a will in 1907. He married in 1908 and died in 1911. No provision was made in his will for Mrs. Y, the wife. She contended that his will was revoked by an alteration of her husband's circumstances, that is, by his marriage. The court said: "The rule of the Common Law must be applied. At Common Law, marriage alone does not cause a revocation * * * of a prenuptial will of a man. Nothing here said conflicts with the rule in this State as to the marriage of a woman causing a revocation of her prenuptial will."* [42]

REFERENCES FOR STATEMENTS MADE IN THIS LEAFLET ARE LISTED ON PAGE 18.

REFERENCES

References for the statements made in this leaflet are to the Revised General Satutes of 1920, the Florida constitution, court decisions, statutes passed by the Legislature at its last session, in 1921, and to other authorities.

[1] Sec. 3964 as amended 1921 Legislative Sess.
[2] 71 Fla. 270;
53 Fla. 265;
39 Fla. 535;
20 Fla. 479;
20 Ruling Case Law, p. 607.
[3] 61 So. 632.
[4] 35 Cyc. 1298, 1302;
Secs. 59, 2075, Fla. Comp. Laws, 1914.
[5] Sec. 4962.
[6] 66 Fla. 589.
[7] 65 So. 545.
[8] 32 Fla. 499.
[9] Secs. 3958-3961.
[10] 18 Fla. 175.
[11] 25 Fla. 279.
[12] Sec. 3948.
[13] Sec. 3801.
[14] 18 Fla. 767;
Sec. 3801.
[15] Consti. Art. 10.
[16] Sec. 3629.
[17] 19 Fla. 341.
[18] 8 Fla. 243.
[19] 2 Kent's Com. 150;
Peck's Dom. Rel., 2nd Ed., p. 251.
[20] Consti. Art. 11, Sec. 2;
Secs. 3806, 3218-3221.
[21] 18 Fla. 342.
[22] 70 Fla. 223;
58 Fla. 377;
23 Fla. 83.
[23] 16 Fla. 86;
18 Fla. 342.
[24] 35 Fla. 187.
[25] Consti. Art. 11, Sec. 2.
[26] 46 So. 291.
[27] Sec. 3806.
[28] Secs. 3218-3221.
[29] Sec. 3952.
[30] 59 Fla. 361.
[31] 45 Fla. 403;
13 R. C. L., p. 1443-1445.
[32] Sec. 3618.
[33] Sec. 3619.
[34] Sec. 3661.
[35] 33 Fla. 458.
[36] 61 Fla. 630.
[37] Sec. 2771.
[38] 57 So. 351.
[39] Sec. 623.
[40] Secs. 622, 632.
[41] 40 Fla. 97.
[42] 64 So. 426.

Additional copies of this leaflet and of leaflets summarizing discriminations against women in other States, may be secured from the legal research department of the Woman's Party for $3.00 per 100. Single copies free.

Legal digests, giving statutes in full and court decisions in detail, for Florida and for other States may be secured for $1.00 per copy.

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NATIONAL WOMAN'S PARTY

Headquarters: 25 First St. N. E. Washington, D. C.

WILL YOU NOT HELP TO REMOVE DISCRIMINATIONS IN THE LAW AGAINST THE WOMEN OF FLORIDA AND OTHER STATES BY JOINING THE WOMAN'S PARTY AND SUPPORTING ITS CAMPAIGN FOR "EQUAL RIGHTS" LEGISLATION? TEAR OFF AND MAIL WITH DUES ENCLOSED, THE MEMBERSHIP BLANK BELOW.

OBJECT: **The removal of all forms of the subjection of women.**

MEMBERSHIP: **Open to all women who will work for this object without regard to interests of any political party.**

DUES:

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I hereby enroll as a.....member, enclosing .....dues.

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PEARL BUCK

ENDORSES THE

Equal Rights Amendment

I HAVE been thinking a good deal about the Lucretia Mott Amendment and the more I think about it the more confirmed I am in my conviction that it is only when a nation's people are governed by laws made for its citizens and not for male and female that men and women can live in mutual happiness with each other and with justice toward each other. When one sex is given discrimination, either favorable or unfavorable, the effect works ill for everyone. If women do not have as a matter of course an unequivocally equal place with men before the law, men suffer with them. A mother cannot train her son in the vigor of free thought and action when she herself does not share completely in that freedom. Something of her sense of inferiority shadows him to weaken him in his own moral fibre or to make him feel falsely superior on that utterly untenable ground for superiority, mere sex. When woman does not share in the life of the nation equally with man, with a mental atmosphere as clear as his, and the right to action no more hampered than man's by discriminatory laws and social attitudes, it means that half the nation and the half which has as its peculiarly important work the bearing of children and their early education, is a depressed group and as such affects the whole.

It is as a mother even more than as a professional worker that I say that I believe the Lucretia Mott Amendment is the only self-respecting basis for citizenship in a true democracy.

PEARL S. BUCK.

NATIONAL WOMAN'S PARTY
WASHINGTON, D. C.

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Equal Rights

VOL. XI, No. 24
FIVE CENTS

SATURDAY,
JULY 26, 1924

Off For The "Women For Congress" Conference

Campaigners Leaving National Headquarters

JAN 5 1966

Feminist Notes

Equal Rights In Finland

IN the June issue of the *International Woman Suffrage News* (England) is an extract of a letter from Annie Furuhjelm, who is one of the pioneers in the Woman's Movement in Finland and in Russia. Elected to the Finnish Parliament in 1913, she served ten years in active political work. She writes that in the present parliament there are 16 women members, and that in the past few years the number of women members has averaged from 14 up to 25. She also states that "ever since the word 'man' in the Finnish constitution was altered to the word 'person,' Finnish women have been accorded a great deal of independence. They now enter all of the universities and enter the professions on the same terms as men." She also writes that Finland has many women doctors, teachers and engineers; that although women are also studying to become lawyers, there are none registered as such yet; and that women work freely on the railways, and in the postoffice, and a number act as station masters.

Swedish Government And Equal Pay

THE question of "equal pay for equal work" so far as men and women are concerned has recently been investigated by a Swedish government committee. The committee suggests a common wage system for male and female employes, with provision for the application of the family wage principle. Taking as a starting point the principle that the work done by women in the service of the state should not be more expensive than that done by men (*i. e.*, equal wages for the same amount of work), the committee finds that a certain difference in the wages paid to male and female employes is justifiable on the following grounds:

1. The rate of sickness among the female employes has been proved to be greater by more than 40 per cent. than that of the men.

2. Women occupy a special position as regards old-age pensions, having regard to their lower qualifying age (generally three years lower than for men), and their longer average life.

3. Relative output of work of men and women; and

4. Certain other factors, such as the liability of men to conscription and the impossibility of the state ignoring wage conditions on the general labor market.

Exceptions from this general conclusion, however, are proposed for female employes who attain the higher grades of the public service. In such grades to which promotion is made according to proved merit, men and women would nominally receive the same rate of pay.

Lady Astor On The Vote

LADY ASTOR writes in the English Woman's Year Book, which has just appeared, on the results of the enfranchisement of women, as follows:

"The most forcible effect of the woman's vote that I myself have met has been the passage through the House of Commons of the Intoxicating Liquor (Sale to Persons Under Eighteen) Bill by 257 votes to 10. A very large number of women's organizations were supporting it, and there was evidence that mothers of every shade of politics were backing it as individuals. I am certain that its passage was due not only to what I consider the goodness of the cause, but to the strength of the women's vote in the constituencies.

"We ought to be encouraged by this experience to go on working for those causes for which we care, and which have not yet been won, but just begun. These causes are not only women's questions, but national questions in the deepest sense. We have a great chance before us; let us fear no foe, except our own indolence and apathy."

Have You Sent In

Your

Subscription

For

Equal Rights?

Equal Guardianship In England

THE women working for Equal Guardianship in England have met with another setback. The situation is vividly described in a recent issue of *The Vote*, the organ of the Woman's Freedom League. The account is as follows:

"We invite our readers' close attention to the amazing debate in the House of Lords on the Government's Guardianship of Infants Bill, which we report on another page. Women's organizations have for years agitated and worked for an Equal Guardianship of Infants Bill — a measure which would make fathers and mothers equally and jointly responsible for their children. Such a bill was earlier in the year introduced in the House of Commons by Mrs. Wintringham, and there passed its second reading without a division.

"To the astonishment of everyone, the Government would have none of it, but, brushing this bill and the Commons' decision upon it aside without ceremony, their spokesman explained that they would themselves deal with this matter and introduce a bill 'in another place,' a place reserved for men only, where no woman has a voice, a vote, or a seat. In this bill, introduced by the Lord Chancellor, there is an entire absence of the principle of equality of guardianship of the children for fathers and mothers in the home—the principle of the bill, according to Lord Askwith, being like an egg which their lordships have been trying to hatch for years!

"The claim of women is that the mother of every legitimate infant shall be guardian jointly with the father for all purposes, and have equal authority, rights and responsibilities with him in the home itself, so far as the upbringing and welfare of the child are concerned. It is during her lifetime, during the childhood of her children, and under normal circumstances, that she wants equal rights of guardianship with the father. It is little satisfaction to her that she can have no claim to any kind of guardianship until the child has been maltreated, or she herself is dead, or the child wants to get married. Lord Banbury was certainly mistaken when he said on the second reading debate in that 'other place,' that women's societies are in favor of this bill. The Women's Freedom League is definitely hostile to it, and we hope that other women's societies will refuse to lower the women's flag by giving it support."

Woman Acts As Governor

MRS. SOLEDAD CHACON, Secretary of State of New Mexico, occupied the office of Governor in New Mexico during the absence of Governor Hinkle, who attended the Democratic Convention in New York City. Mrs. Chacon is the first woman to fill such a position. She was next in line for the Governor's chair, and occupied this position in place of Lieutenant-Governor Jose A. Baca, who died recently.

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Woman's Party Prepares for Election Conference

Westport, New York, August 15th, 16th and 17th

THE National Woman's Party is daily sending new recruits to the battle-ground at Westport, N. Y., where will be arranged in August the preliminaries to one of the most momentous battles in the fight for women's political freedom.

This conference has been called by the National Woman's Party to select the best possible candidates among women for Congress, and to determine the best means of electing them. Party affiliations will be set aside in this campaign and women will be supported for Congress on the strength of their fitness to serve the woman's cause in Congress.

WOMAN'S Party leaders are now visiting possible women candidates in all parts of the country—in states where the primaries have already occurred and in states where they are still to be held—to secure desirable women candidates on one of the regular party tickets or as independents. Among those who are making the search for women candidates is Mabel Vernon, executive secretary of the Woman's Party. She has gone to California to confer with Mrs. William Kent of Kentfield, California, state chairman of the Woman's Party, on the possibility of California sending a woman to Congress. From California Miss Vernon will go to Colorado Springs to discuss with Mrs. Bertha Fowler, Colorado chairman of the Woman's Party, the possibility of Colorado joining in the "WOMEN FOR CONGRESS" campaign. After Colorado Miss Vernon will visit Iowa, Nebraska, Wisconsin, Illinois and Michigan, on the same errand, finally winding up at the Woman's Party election conference at Westport, New York, August 15th, when the final endorsement of women candidates will be made.

IMMEDIATELY following the three days' conference, at which the candidates will be chosen, workers will start out to cover the entire country, lobbying, stump-speaking and electioneering for these political pioneers, in the hope that results of the fall elections will see women taking their places among the national law-makers with the purpose of forwarding the interests of women.

Delegates from every state in the union will attend the conference bearing the names of suitable candidates for Congress. Parties of women have already started motoring across the continent in cars bearing the new slogan, and, with the customary fearlessness of the National Woman's Party, are holding meetings in the towns through which they pass, spreading their gospel of greater freedom and political power for women.

July 15, 1924.

Dear Member of the Woman's Party:

At our Election Conference at Westport, N. Y., August 15th, 16th and 17th, we shall lay plans for the election of women to Congress. Will you come to this Conference and bring with you the names of suitable women candidates from your state who will work for the interests of women if elected? We have postponed the Conference from the original date in order to have more time to get in touch with women candidates and hope you will help us with suggestions.

England has eight women in Parliament; Germany had more than thirty women in the last Reichstag; there are numbers of women in the Parliaments of other European countries. We must bring the United States up to the standard which these countries have reached.

We ask you to co-operate:

1. **By attending this Conference and helping with advice as to women candidates.**
2. **By sending $5—or more if possible—toward the expense of launching the election campaign.**
3. **By securing publicity in your local papers about the election campaign.**

For the first time we shall meet together at an election conference as voters ourselves and representing thousands of other women voters. The opportunity before us is the greatest that has ever come to women who are seeking to bring about a better world for women. We ask you to help the Woman's Party meet this great opportunity and this great responsibility.

Sincerely,

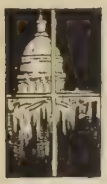
ALICE PAUL,
Vice-President.

od Laundry in Seattle during their hour. Mrs. Josephine Millene, one eir number, arranged the meeting s now organizing an Industrial Coun- f the Woman's Party among these ers.

New York

E New York Branch is considering ans for the enforcement of the ers' Equal Rights bill that was re- y passed. Some of the Boards of ation in the state are insisting that not operative until the beginning of chool year in 1925. This bill was ne introduced in the legislature by s. Antin and Cole. The Teachers' Discrimination Bill introduced by s. Straus and Kauffmann at the re- of the Woman's Party prohibited eeping terms any sex discrimination y educational institution in the state. eference not only to salary, but also tunity for advancement and every question that might arise respecting mployment of teachers. When this iled to be reported out of commit- he Antin-Cole bill, applying to sal- only, and sponsored by the State ers' Association, was strongly sup- l by the Woman's Party. The legis workers of the Woman's Party lob- liligently for it. Mrs. Clarence M . State Chairman, went on a depu- to Governor Smith and spoke urg- m not to veto it, and in many other ts the Woman's Party contributed passage of the measure.

Equal Rights



OFFICIAL ORGAN
of the
National Woman's Party
Capitol Hill
Washington, D. C.

Published weekly
at 19 West Chase Street
Baltimore, Md.

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Dora G. Ogle, ... Business Manager

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Zoe Beckley
Brenda Euland Benedict
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Entered as second-class matter at Postoffice, Baltimore, Md., under Act March 3, 1870.

Subscription, $2.00 A Year

COUNCIL OF THE WOMAN'S PARTY

President, Mrs. O. H. P. Belmont
Vice-Presidents, Alice Paul

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Women For Congress

THE great need of the "WOMEN FOR CONGRESS" election campaign, which the Woman's Party is undertaking, is evidenced by the results of the primaries up to the present date.

Fifteen states have now held their primaries. These states are South Dakota, Illinois, Nebraska, Pennsylvania, Maryland, Indiana, Alabama, Oregon, West Virginia, Iowa, Florida, North Carolina, Maine, Minnesota and North Dakota. In only three of these states has a woman received the nomination on any ticket. In Illinois, one woman, Mary Ward Hart of Benton, was nominated for Congressman at large on the Democratic ticket. One woman has received a nomination in Nebraska on the Prohibition ticket—Luella Barton, who was nominated for the First Congressional District. In Pennsylvania four women have been nominated: The Democratic Party has nominated Jessie Collett of Philadelphia for the Second Congressional District; the Socialist Party has nominated Jennie Dorriblaum of Philadelphia for the Third District; the Prohibition Party has nominated Anna Van Skite of Norristown for the Ninth District and Elizabeth Culbertson of Meadville for the Twenty-ninth.

The result of the primaries, then, in these fifteen states is that only six women have been nominated for Congress throughout all this vast territory. The Republican Party has given no woman a nomination. The Democratic Party has given a nomination to only two women, and in both cases in districts in which Democrats are conceded to have no chance.

Women will not be elected to this coming Congress, we must realize, through the interest of any of the political parties. They will be elected only if women themselves determine that women shall be in Congress, and organize an effective campaign to put them there.

The Subscription Campaign

LAST week's issue of EQUAL RIGHTS informed our readers that a campaign was on foot to double our subscription list before the first of September. The plan suggested was for each reader to send in one new subscription within the next four weeks, which would automatically transform a mirage of hope into the terra firma of reality. Already we can report excellent progress. One member of the Party, knowing that the paper goes to some few enemies of the cause for their edification, has sent in five new subscriptions, "to take the place," as she wisely says, "of the subs that will *not* come in from certain politicians of my acquaintance, to whom I send the journal." From another stalwart worker comes the word, "I am enclosing my new subscription with two dollars, but I think you are asking too little of us. I secured this new reader over the telephone the very evening my paper came, and I hope to get several others. You should have asked us each to get ten instead of one, for EQUAL RIGHTS is an easy paper to sell and is a necessary part of every woman's education." Several requests have come in for the list of subscribers in different states, and we would suggest that anyone desiring the list for her own state communicate directly with the Business Manager at 19 West Chase street, Baltimore. The lists are so arranged by the printer that it is easy and inexpensive to furnish state or even city lists for the campaign workers. Moreover, these lists are very interesting, as they serve as an index to the amount of sound work being done in behalf of the Lucretia Mott Amendment in various parts of the country. Where there are many subscribers there is much interest, and vice versa.

One fact that the subscription list brings to light is that only one of the Presidential and Vice-Presidential candidates now receives EQUAL RIGHTS. This clearly proves that we are missing a great educational opportunity. Will not some philanthropic soul, or souls, enable all of the candidates for the highest office the nation offers to become informed as to the nature of Equal Rights before the November elections? The one candidate who now subscribes may not be elected, and it may be too late to begin educating the others when the returns are known.

We are awaiting your note as to whether or not you wish the subscription campaign to be victorious!

What I Think Of The Woman's Party

By Alice G. Bryant, M.D.

Editor's Note: Dr. Bryant is an ear, throat and nose specialist of Boston. She was one of the speakers at the recent National Convention of the N. E. A. While in Washington she gave the following speech at the Woman's Party Headquarters, on the occasion of the Woman's Party reception to the members of the N. E. A. Dr. Bryant is a Founder of the Woman's Party.

I WISH to express my deep appreciation of the courtesy shown me during my short visit at the National Headquarters of the Woman's Party. The hospitality everywhere in evidence at the Headquarters energizes me to urge fellow-members to come within its spell.

The members of the National Woman's Party seem to possess a genius for organization, and for carrying their fundamental principles to completion. The Woman's Party leaders have proved their ability. Inefficient, wasteful and improvident methods of procedure have no place here. Scientific methods have been adopted. Unbalanced enthusiasm and vagueness are not to be found within these walls. A powerful organization has been built up, effective and solid. The Woman's Party work for Equal Rights is a piece of good engineering. In a word, organizing has been reduced to a fine art.

IN order to come to definite conclusions in regard to Equal Rights, which is of such vital interest to women, to mankind —it was necessary to survey the whole field before worthwhile, serviceable, detailed work could be carried out. It was necessary to gather together women who could do new things as well as merely know old things. A research bureau or laboratory has been founded, second to none in this country or in any other country. It has been administered by able, efficient and broadminded women of supervision. Within these walls legal knowledge concerning the position of women is collected and the results are circulated beyond these walls. I think of the National Woman's Party Headquarters workers as I do of research workers at their best. They have "a fondness for love of accuracy as to fac[illegible]alty to truth, unwearying labor in ob[illegible]ing it and care in the inferences derived from it."

TO belong to the National Woman's Party is to take out a life insurance not only for the present generation, but for future generations. The National Woman's Party has been true to its principles, faithful in its practices, earnest in its endeavors and unswerving in seeking the fulfillment of its purpose.

have frequently been given before. Queen Elizabeth and Isabella of Spain have often been so honored, and it is easy to tell of a score whose very names stir one to enthusiasm. But to select women who have worked on the behalf of women is a matter more difficult. They existed. Far back in the very dawn of history a feminist movement was present in Egypt, and one flourished in Greece even before its golden age. But the directing personalities have been lost in a mist of legend, and their deeds misinterpreted; for the [illegible]s and recorders who have come between were incapable of appreciating their significance. So that in some cases, as in that of Hortensia, who will be represented in the pageant, it is necessary to run through half a dozen of the most comprehensive histories to find even a reference to them.

HORTENSIA comes down to us in the glow of a single great deed. The sequence of her life before this and after

These are the circumstances which led to her address—the first public plea so far as we know—on behalf of women's rights: in the year 43 B. C. Rome was drained of its resources by civil wars, and the triumvirs decreed that the estates of fourteen hundred matrons were to be subject to confiscation. The women came together in a distracted meeting, turning to this citizen and to that, but not a single man dared undertake their defence; so at length they begged Hortensia to speak for them. She was the daughter of Quintus Hortensius, a Roman of integrity and of great eloquence. Her own spirit and ability could not have been unknown.

It was at peril of her life that she led the little band into the forum that day. At first the very boldness of such public appearance seems to have shocked the men into quiescence. The crowd parted before her; Hortensia gained the front of the tribunal and addressed the triumvirs themselves.

mothers in zeal for the common safety; but for civil wars may we never contribute, nor ever assist you against each other!

"Consider that if you take away our property you reduce us to a condition unbecoming our birth, our manners, our sex. If we have done you wrong, prescribe us. But if we women have not voted you public enemies, have not torn down your houses, destroyed your army, or led another one against you; if we have not hindered you in obtaining offices and honors, why do you visit upon us the same punishment as upon the guilty whose offences we have not shared?"

When she had finished the triumvirs were angry that women should venture to address them so; that they should dare to demand from the magistrates reasons for their acts. They ordered the lictors to drive the plaintiffs away from the tribunal with their fasces; and this was done until cries were raised by the multitude outside. Upon hearing the shouts the lictors desisted, and the triumvirs,

realizing that public feeling was against them, declared they would postpone consideration of the matter. When they met the day following, the magistrates found it expedient to reduce the number of women listed from fourteen hundred to four hundred; such had been the dignity and force of Hortensia's demand.

BUT it has taken women twenty centuries to appreciate her argument that "taxation without representation is tyranny."

In the Field

Colorado

THE Colorado Springs *Evening Telegraph* gives an account of an important meeting recently held by the Colorado State Committee of the Woman's Party:

"A meeting of the state committee of the National Woman's Party was held this morning to consider important matters regarding the election policy to be adopted in the coming campaign for the Equal Rights Amendment.

"Mrs. Bertha W. Fowler, state chairman, presided, and reports were submitted by the treasurer, finance committee, membership and Equal Rights magazine chairmen.

"Miss Ernestine Parsons, former state chairman, leaves Thursday for Washington, D. C., and will represent Colorado at the Woman's Party election conference in the Adirondacks on August 15th.

"At this meeting the committee also voted to assist in raising the $208,000 fund to elect women to Congress this fall for a woman's bloc, following the failure of the Republican and Democratic national conventions to support the Equal Rights Amendment in their platforms."

Rhode Island

A RECENT outdoor meeting, held by the Providence Branch of the Woman's Party, is reported in the *Providence Tribune* as follows:

"The Providence Branch of the Woman's Party had its June outing at the home of Mrs. Laura L. Wilcox at North Providence. The picnic was followed by an open-air meeting, at which it was voted to hold the annual meeting at the conclusion of the state legislature and to endorse the suggestions of Miss Alice Paul regarding the time of the state convention of the Woman's Party and candidates, so that it will be possible for national officers to be present."

Washington

MABEL VERNON, executive secretary of the Woman's Party, is continuing her organization and speaking tour in the state of Washington.

Miss MacIntyre, one of the Seattle members, recently arranged a meeting for her in Seattle, at which meeting practically everyone who attended became a member, and where a resolution favoring the Equal Rights Amendment was unanimously adopted. Miss Vernon also spoke on that day, during the intermission, at a card party given in the ballroom of Mrs. Frederic Art Struve's home.

While in Washington she went to Yakima, where a meeting was arranged in the Woman's Club House by Mrs. Wallis Williams, at which meeting a committee was formed for the Fourth Congressional District, with Mrs. Williams as chairman; Mrs. Zoa Varney, secretary and treasurer; Mrs. Anna Wells and Mrs. Stiness as vice-chairmen, and Mrs. Paul Neill as publicity chairman. In the evening a committee meeting was held at the home of Mrs. Williams, at which plans were made to appeal to the congressmen from the Fourth District in favor of the Equal Rights Amendment.

Miss Vernon then went to Spokane, where a meeting had been arranged at the Spokane Hotel. A resolution endorsing the Equal Rights Amendment was here adopted and a committee for the Fifth Congressional District was formed with Mrs. Frances Schirmer as chairman, Mrs. A. P. Fassett of the Good Government Club, and one of the ardent workers for suffrage in the state campaign, presided at the meeting.

A few days later she was present at a meeting arranged in the drawing-room of the Sorrento Hotel, Seattle, for the purpose of organizing a Washington state committee. Mrs. Anna Thimsen Milburn of Seattle presided and said in opening the meeting that she believed the program of the Woman's Party should arouse every woman and that it was the only piece of work presented to her since the war which she considered truly fundamental. Miss Vernon spoke on the work and plans of the Woman's Party. Mrs. Sophie L. W. Clark, who has been acting as chairman of the Woman's Party in Washington, moved that a permanent organization of the Woman's Party be formed for the state of Washington. This motion was carried and a state committee was then elected with Mrs. Anna Thomson Milburn as chairman, Mrs. Mary Chamberlain, secretary and treasurer; Miss Lucy Case, legislative chairman; Miss Kate Mullen, press chairman; Mrs. Sophie L. W. Clark, Equal Rights chairman, and sixteen other committee members.

Miss Lucy R. Case, the state legislative chairman, and Miss Mabel Vernon also attended the state convention of the Washington Grange at Vancouver. Miss Vernon was given fifteen minutes to present the Equal Rights Amendment. At the conclusion of her speech a resolution was unanimously adopted by the North Side Grange of Seattle.

While in Washington she spoke to a group of women workers at the New Method Laundry in Seattle during their lunch hour. Mrs. Josephine Millene, one of their number, arranged the meeting and is now organizing an Industrial Council of the Woman's Party among these workers.

New York

THE New York Branch is considering plans for the enforcement of the Teachers' Equal Rights bill that was recently passed. Some of the Boards of Education in the state are insisting that it is not operative until the beginning of the school year in 1925. This bill was the one introduced in the legislature by Messrs. Antin and Cole. The Teachers' Sex Discrimination Bill introduced by Messrs. Straus and Kauffmann at the request of the Woman's Party prohibited in sweeping terms any sex discrimination in any educational institution in the state, with reference not only to salary, but also opportunity for advancement and every other question that might arise respecting the employment of teachers. When this bill failed to be reported out of committee, the Antin-Cole bill, applying to salary only, and sponsored by the State Teachers' Association, was strongly supported by the Woman's Party. The legislative workers of the Woman's Party lobbied diligently for it. Mrs. Clarence M. Smith, State Chairman, went on a deputation to Governor Smith and spoke urging him not to veto it, and in many other respects the Woman's Party contributed to the passage of the measure.

From The Press

Massachusetts Law

Berkshire Eagle, Pittsfield, Mass.,

"Thirteen ways in which women are discriminated against, in business, in the home, in industries, in the process of government, etc., have been listed as the result of a survey of Massachusetts laws by the National Woman's Party.

"'The laws of Massachusetts, like those of most States in the Union, are based upon the old English common law. The common law regarded all women as inferior to men. At common law the husband and wife were one and that one was the husband. He owned the wife's personal property, her labor and the children.

"'While Massachusetts has enacted statutes that have advanced materially the legal status of women, there still remain discriminations that deny to women the same rights under the law possessed by men,' it was stated at the headquarters of the National Woman's Party today.

"In Massachusetts fathers are preferred to mothers in control of children, it is declared. Although the rights of a father and mother to the custody of their child are 'declared to be equal,' they do not have equal control.

"'The father's right to the labor and earnings of children is superior to that of the mother. The earnings and services of minor children are controlled by the father except in the case of his death or desertion. The father alone has the right to sue for the loss of such earnings and services, except in case of his death or desertion.

"The mother is the sole guardian of an illegitimate child in Massachusetts, it is declared. Furthermore, the statutes governing the registry of births provide that in the record of birth of an illegitimate child the name of the father and other facts relating to its identity shall not be set forth except on the written request of both father and mother. No similar exception in favor of the mother is provided."

Right To Name

The Nation, July 2.

"MRS. or Miss—which is more honorable? In this country the vanguard of feminists insist upon the right to their own names and the prefix 'Miss.' They do it in the name of Lucy Stone, who never would let herself be called Mrs. Blackwell. But Lucy Stone herself, when she appeared before a congressional committee thirty years ago, was introduced by Susan B. Anthony as 'Mrs. Stone.' What do the Ruth Hales and Fola La Follettes say to that? Miss or Mrs. Stone evidently had the same ideas as the speaker at a recent women's congress in Finland, who urged abolition of the 'dishonoring designation 'Miss.'" The American moderns seem to believe that 'Mrs.,' with its implication of dependence upon a mere male, is more slighting. That, to be sure, is an implication born of modern days. Dr. Johnson knew that worthy maiden lady as 'Mrs. Hannah More' without imputing any lack of independence to her. Does the growing tendency of married women workers to ask for jobs as 'Miss' and the utter lack of any tendency among men to distinguish themselves, by title or otherwise, as wedded or unwedded have profound social significance?"

Two Million Dollar Fund

Treasurer's Report

EDITH AINGE: *Treasurer*
NETTIE TRAIL: *Auditor: C. P. A.*

RECEIPTS of National Headquarters, December 7th, 1912, to July 7th, 1924, $1,260,924.11.

Contributions, membership receipts and other receipts, July 7th, 1924, to July 15th, 1924. (*Half of membership fees are retained by the State Headquarters. The half of these fees sent to National Headquarters are listed below.*):

Mrs. Henry M. Wagner, N. Y.	$100.00
Per California Branch:	
Mrs. H. M. Rehfisch	5.00
Mrs. E. Clements Horst	5.00
Miss Lola Kohn	5.00
Mrs. A. H. Bird	4.50
Miss Natalie Shaffer	.50
Mrs. L. P. Wright	.50
Mrs. Anita H. Stanton	.50
Mrs. Lelia Millendy	.50
Mrs. Thurman H. Bane	.50
Mrs. Rose E. Brumbaugh	.50
Mrs. R. Federle	.50
Mrs. Cora Patterson	.50
Miss Norah McNeill	.50
Mrs. H. P. Harpold	.50
Mrs. Margaret P. Henderson	.50
Mrs. W. B. Hamilton	.50
Miss Valeri M. Ansell	.50
Dr. S. T. W. Easton	.50
Mrs. Burns Macdonald	.50
Miss Maud M. Starker, Cuba	25.00
Mr. Stephen Pell, N. Y.	50.00
Miss Grace Henshaw, Mass.	10.00
Miss Rebecca R. Smith, Pa.	1.00
Miss Emma M. Griebel, O.	1.00
Miss Margaret Powell, Ill.	1.00
Miss Marguerite McBride, Ill.	1.00
Miss Grace L. Scott, Ill.	1.00
Miss Caroline W. Rhinelo, Mass.	50.00
Mrs. Ida M. Gutman, Md.	25.00
Mrs. Fannie U. West, Ill.	10.00
Miss Charlotte F. Jones, Pa.	1.00
Per Minnesota Branch:	
Mrs. Paul D. Zimmerman	.50
Mrs. Adelaide B. Goodwin	.50
Mrs. F. B. Spensley	.50
Miss Effie Henry	.50
Miss Katherine E. Kendall	.50
Miss Lily A. Long	.50
Miss Laura Parkinson	.50
Miss Rachel Wilson	.50
Mrs. Pierce Butler, Jr.	.50
Miss Julia S. Jennings, Va.	1.00
Mrs. Berry Pottier Osgood, Mass.	100.00
Mrs. R. A. Fowler, Pa.	25.00
Miss Lavinia Dock, Pa.	15.00
Miss Mary M. Farrell, Ill.	1.00
Miss Louise N. Ege, Ill.	1.00
Miss Mary B. Livingston, Ill.	1.00
Miss Margaret L. Finnigan, Ill.	1.00
Miss Josephine B. Olmstead, Ill.	1.00
Miss Emma McCredie, Ill.	1.00
Mrs. F. Blanche Preble, Ill.	1.00
Miss Amelia E. Abramson, Ill.	.50
Sale of literature	1.00
Rent of rooms at Headquarters	345.00
Total receipts, July 7, 1924, to July 15, 1924	$782.00
Total receipts, December 7, 1912, to July 15, 1924	$1,261,706.11

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Feb. 17 and 24 - Mar. 3, 10 and 17—Nov. 24

The Talk of the Day (among women) Is about

The Equal Rights Bill

Frances Parkinson Keyes

explains it fully in this Letter from a Senator's Wife

The woman who is already protected is may sweep away the special protection

DEAR LUCY:

For the first time since I came to Washington, I have experienced the joy of having one of "the girls from home" visit me, and how great a delight it was to both of us, you will never know until you follow Prue's example and spend a fortnight with me yourself. She is such a dear—so pretty and tactful and charming—that I knew my friends here couldn't help liking her, but I didn't fully realize beforehand how widespread the spirit of cordiality is in the Capital, or how many avenues are open to special privileges and pleasures for a Senator's wife entertaining a visitor.

Mrs Harding sent flowers for the luncheon that I gave in Prue's honor; Admiral Coontz, the Chief of Naval Operations, arranged a visit to the Naval Academy at Annapolis for us and placed his car and his aide at our disposal for the trip; an invitation which I had received to meet Lord and Lady Mountbatten was extended to include Prue also, and one of the most prominent women in Washington gave a dinner in her honor; the special treasures at the Congressional Library and the room in the Mansion House at Arlington where General Lee was married were unlocked that she might see them; there was a box-party for one of the Military Drills and Horseshows at Fort Myer; lunch at the Washington Club, bridge at the Club of Colonial Dames, tea at the Chevy Chase Club; theater-parties and dances.

Prue went home saying—and, I am sure, feeling—that her long winter in the country would seem cut in half by her pleasant memories of Washington and of the men and women she met here. And I settled down to more serious occupations after her departure, greatly refreshed in mind and spirit, and with a glow of gratitude toward every one who had helped to give her so good a time.

The occurrence of the month that is certainly of the greatest interest to women all over the country is the seating of Mrs. Felton of Georgia in the United States Senate. Legally, in the opinion of all consulted authorities, she had no right to the seat, but I was not in the least surprised that not a single Senator raised his voice against showing this courtesy—though one vote against her would have excluded her—to the "Grand Old Woman" who, because she is a woman, and a woman full of years and honor, was entitled to their especial consideration.

The opening session was immediately adjourned out of respect to the memory of Senator Watson, as is the custom as soon as the formal announcement of the death of a member of the Senate has been made; but the following day, after the Joint Session in the House of Representatives, when the President delivered in person his address on the Ship Subsidy Bill, Mrs Felton presented her credentials and was immediately sworn in. Then the Chair—the presiding officer—"recognized her" as the term goes, and she made a charming little speech which consumed only about five minutes, but which made a wonderfully favorable impression upon all of us who heard it—for the Senators' wives turned out in full force for this great occasion, you may be sure!

As soon as Mrs. Felton had completed her speech, Mr. George, who had purposely delayed presenting his credentials until then in order to give her this opportunity, presented them. They were accepted, and Mrs. Felton ceased to be Senator. But a new precedent had been established, and it will not be long now, I venture to predict, before another woman takes her place in the Senate—even before several do.

At the joint session, Mrs. Huck, newly-elected Congresswoman from Illinois, shared the honors, congratulations and display of public interest that were being showered upon Mrs Felton and the agreeable impression that she made upon me then was strengthened yesterday when I sat beside her at a luncheon given in her honor by the Women's National Press Club. She has been elected to finish the term of her father, Mr Mason, one time Senator and later Representative, who died in office, and she has, I think, very

JAN 7 1966

her apron to hide his face, so that God, should He chance to look down, might not offend his eyes with such a sight

Accomplished before his eyes by his wife
Without her showing undue exertion.

In following natural impulses, at times,
Marge had done some extremely unwise things.
Never had she done a thing so very unwise
As when she uprooted the manzanita.
Slowly there sank into Jacob's stubborn brain
The fact that he had dissipated his strength,
That he had poisoned his system speedily,
Until Marge was stronger at that hour than he.
Then quickly followed the nauseating thought
That she knew it and was proudly giving proof.

Jacob felt a surge of blind, bloody anger
That, if she did know, as she had proved,
She had dared let him see that she knew.
The only reason he did not attack her
Was because she had picked up the mattock
She had just shown that she was the stronger.
If she had had the hardihood so to provoke him,
It was possible that if he struck her,
She would defend herself convincingly.
In his soul Jacob was the same coward
As is every man who fashions his life,
Who shapes his years, who plans, for self alone;
Who makes of his union with a woman
The thing that he had made of his life with Marge.

At the supper hour slowly he followed her.
He was amazed at the yeasty hatred
That he felt germinating in his heart.
In the short walk, with the swiftness of thought

(Continued on page 121)

661395

oking for the equal rights bill; the women in industry knows that the passage of that bill that women—because they are the mothers of the race—will always need; she asks for its defeat

deeply and sincerely the feeling that she has lifted a dropped torch and that she must keep it burning clear and bright. I think also that she is entirely capable of filling her new position creditably without neglecting her four children in the least, and I shall hope to know her better as the months go on.

Several months ago I wrote to Marion in some detail about the "blanket bill," proposed both in the form of a federal amendment and as a measure to be introduced into the various state legislatures, by the National Woman's Party, and the reason why the Consumers' League and several other large women's organizations were bitterly opposing it. This month I have attended with the greatest interest the conferences that these organizations have held here, one immediately after the other. That both have the welfare of women sincerely and earnestly at heart, no thinking person who has taken the trouble to follow their work closely can possibly doubt. And yet they disagree so radically and entirely as to the best means of attaining the ends which both desire, that the unprejudiced [illegible] connected [illegible] neither, but with the wish to help other women strong in her heart too, [illegible] if it eventually seems best to her, to ally herself with some organization interested in this, [illegible] to feel very much bewildered and confused, and possibly a little distressed. I am forced to confess myself no exception to this rule and I can only [illegible] as honestly possible, my personal reaction to the two conventions, without venturing to say that yours would have been the same if you had attended them, much less that it *ought* to have been the same.

The proposed amendment to the Constitution [illegible] provisionally,

"Section 1. No political, civil, or legal discriminations on account of sex, or on account of marriage, unless applying to both sexes, shall exist within the United States or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation."

The blanket bill to be introduced into the state legislatures stated:

"Women shall have the same rights and privileges under the law as men."

The Consumers' League objected very outset to the word 'same' in this sentence, feeling that it in itself in the bill was passed would do away with many protective legislation that now gives women *extra* rights and privileges which they need and which men do not. And objected still more to certain clauses w followed this statement declaring that women should have "freedom of cont invalidating *[illegible]* on hou[illegible]

NR13P

If you want to hear a lovely little love story, listen while—

An Old House Speaks

By Elizabeth Badley Read

Illustration by John R. Flanagan

I AM an old, old house. Not many of the houses on Endicott Square can remember when General Washington's troops came marching up the streets of quiet, little Litchfield village and poured through our gateway, carrying old Major Ransom Baldwin on their shoulders. Up the steps and through the door they crowded filling the hallway with the noise of clanking swords and heavy rifles. How the Major's face glowed as he stood on the lower stair-step and welcomed the boys back home! Even yet, there is a scratch on the second tread where his spur caught against it, and a bit of plaster gone where his sword struck the wall. How we have feared that our masters would discover these scars and try to repair them! Many a night the stairway has groaned at the thought.

You may not understand why I am telling you this story. A week ago tonight, in the unspeakable agony of that first day when my walls were torn out, and you first began to take shape against my side, I swore that I would never speak to you. Being so new, you can not understand how it hurts an old house to have to face such a change. A useless wing to be added to my favorite side; all the south windows changed; my view of the garden spoiled! I didn't know you then, little nursery wing, and I didn't know who was to look out at the dear, old garden through your new windows. I feel differently now, of course, but that is a different story. I could not keep still that night. Three times the nervous old caretaker came down to see what was making the noises that he heard, to close the doors and bar the shutters. I could not make him understand what was the matter, nor how I felt.

Very few people, I find, can understand a house. They seem to see in us old dwelling places only the four walls that shelter the people inside, only those things that are apparent to the eye—doors and windows, floors and ceilings. Having no eyes of the heart, they do not feel the spirit that breathes through every fiber of a true house. But once in a while there comes stepping over our thresholds some one who can see under our twisted clapboards, behind our cracked moldings, and beneath our warped, old floors, and who answers our greeting. For houses have a rare sense of courtesy and gentle kindliness—at least, old houses in which these graces have always been practised by the courtly men and gracious women who have lived in them generation after generation. When understanding folk walk into our rooms, we fairly put our arms around them, for they speak to us as soon as they come in.

Just such a man was Master David. The old clock is trying to remind me that Master David was born up-stairs, in the Sheraton Room—and so he was. And it was I that taught him all about a house, as he toddled up and down the stairs, and fell on the polished floors, and even climbed to the captain's walk on the roof to catch a glimpse of the ships in the Sound. He always loved me and understood me.

Once in a while there have been others who have come in, and whom I have recognized as Master David's kind. They always walk into old houses as if they were going into a church. Cracks in our walls, and nicks in our wainscotings, and worn places on our floors all seem sacred to them. They walk gently around and give all the old chairs a loving touch, and pat the old feather-beds, and run their hands down our stair-rails. Quite often they exclaim, "Oh, look, where they used to sit in front of the fireplace—why, the boards are almost worn through!" Or else they will smooth the back of the old Windsor chair where all the heads have rested for hundreds of years and say, "Oh! Do you suppose this was really the chair in which Great-Aunt Maritta Blakesley knitted all the socks for the men at Valley Forge?"

These people seem to feel the soul of a house. They are almost always women people. I have watched all the folk who have lived in this house—and it is more than two hundred years old—and Master David was the only one of all the men who could talk to me. But the women seem to understand the heart of a house. Perhaps that is only natural, and perhaps it is the house, after all, that comes to understand. For some way, knowing all her thoughts and plans as we do, and seeing everything that she does, we get to know the soul of the woman who makes a home of us. If you study us carefully you can learn a great deal about our mistresses. We can not help reflecting them.

And that very thing is the greatest tragedy in the life of many houses. I've felt sorry for some of the houses on Pinckney Street. If you will look out of your south window, across the hollyhock hedge, you will see the Brewster mansion. Many times through the moonlight it has talked to me of how unhappy it is. It has a soul that is fine and beautiful, but no one who lives in it can understand. Imagine, if you can, having all your treasures carried up into the attic! The old spinet on which Aunt Charity learned to play, the big four-poster where General Lafayette slept before he returned to France, the spinning-wheel and great oak chest that came over from England with Great-grandfather Peabody—all these things have been piled in a dusty attic, and the quaint, old house is filled with shiny, new things that can not even speak the language we old houses know. When Master David was a boy, that house was the happiest place in old Litchfield, and the little girl who played under those apple trees grew up to be his wife.

But I can hardly talk about those days even yet. All the happy times ended on the day that Master David was brought home unconscious. He had been thrown from his horse, and he never opened his eyes again.

After Master David died, there were six months of such sorrow and suffering as this house has never seen and, please God, may never see again. I never knew what happened. Men in black suits and tall hats came and talked and talked to Master David's wife, and I believe that she understood as little of it as I did, for she would gaze at them as if she were dreaming all the time they talked, and after Henderson let them out of the door, she would stand in front of Master David's chair with her lovely eyes running over with tears and say:

"Oh, David! David! come back home! We need you so, little Davie and his mother."

After one of these interviews she and little Davie went away. I can see them yet, going down the walk, Davie trudging like a little man beside his mother, holding her hand, and saying, "But you have me, Muvver dearest." And I can see her turn suddenly and crush him in her arms, sobbing out, "Yes, Davie dear, they can't take *you* from me."

Though it was a rainy day, the mist that was on all the little panes in my windows came from the tears in my heart. No one guessed it, for very few people know that a house can feel sad. They think houses fall to pieces because they grow old. How little they realize what sorrow and disappointment can do to a house! Why do they think we are so different from themselves, I wonder? Happy houses never grow old. They echo loving words and baby prattle and sweet songs from morning till night; their doors stand open on sunny days and invite everybody in; their windows glow far into the night, framing little pictures that make lonesome people going by think of their homes and their mothers and want to be good.

And even when these houses have lived hundreds of years, they are not old yet. Everybody wants to find one. And sometimes all they need to make them young again is a coat of snowy-white paint, or just a few shingles on their wrinkled, old roofs, or maybe a (*Continued on page 143*)

Analogous harmony in color is found by using colors related to the key color, by reason of their lying adjacent to it in the color scale, for example: blue, blue-green and blue-violet with the varying tints and shades of both.

Now, inasmuch as one would not want blue in combination with either blue-green or blue-violet curtains, a different handling becomes necessary. The scheme might be: ceiling, an oyster gray; walls, a warm gray (neutral colors against which to play our principal tones); rugs, a dark blue; over-draperies in figured cretonne with blue as the principal color and other tones in warm gray, blue-green, and violet. This room will be much more interesting than the monochromatic scheme, but there is room for considerable improvement.

Complementary harmony presents both the greatest opportunity and the most difficult problem to handle correctly. The complement of anything, color or personality, is the element necessary to make it a complete whole. In color, the complement is always found directly opposite the color considered; for example, red and green; blue and orange; yellow and violet. Each complement causes the other to appear most brilliant and intense.

In considering the human side of it, once more; certain friendships and acquaintances are specially stimulating and refreshing. Such relationships are nearly always found in opposites. The one nature never contains just the same elements as your own, but must be distinguished through having many qualities needed to round out your personality. How often has an artist, composer, or writer imputed much of his success to the inspiration of his wife, mother, or friend? There is always danger in decoration, however, in the indiscriminate combining of such intense qualities. But, while no hard and fast rule can be evolved, the following somewhat crude illustration may help throw some light upon the subject.

Distribution of Color

Imagine, if you can, the combined intensities of all the colors in a room, and let us refer to that as one hundred percent regardless of whether the room is in intense or quite low color. The desired decorative scheme will have a keynote or dominant color which will be related to its complementary color, its related hues, shades and tints, in the ratio of something like sixty percent and forty percent. Remember that these figures are relative and the ratio of sixty-forty is the same, whether we refer to inches, feet, yards, miles, time, or intensity and value of colors.

Our individual taste enters here. Suppose the room is to be the blue-orange combination. We may consult our desires and tastes and decide how much blue is wanted in this room. This settled, the relative amount of the complementary orange group is automatically limited.

It has already been indicated that we may use our sixty percent of color in two ways: We may dilute it, as the artist does his water color wash, and spread our color over the entire wall, or we may conserve it, use a neutral wall color and make bolder strokes, using color in draperies, pillows, upholstery, etc. Whichever method you follow, let it not be melodramatic, but, as Hamlet instructed the players to speak their message gently, so let your color appeal to the senses, rather than overpower one by seeming to cry aloud, "I am a blue room, blue, blue, blue." Rather, as in the photograph, which shows a room of analogous harmony, with oyster gray ceiling, warm, gray walls, and blue rugs, make the curtains of a changeable blue-green and then add the complementary color scheme by having the cretonne slip-covers in a blue-orange combination (not over forty percent in mass area), which immediately gives sparkle and charm. By keeping the brighter color within the limits of forty percent, it does not glare or "fight."

Oberlin College Library
9-15-65

The Equal Rights Bill

(*Continued from page 29*)

the compulsory eight-hour day and minimum wage for women; "immunities or penalties for sex offenses"—endangering penalties for seduction and rape which apply to men only; and the final and all-embracing clause, "and in all other respects"—which might be construed to mean almost anything.

I have thought it best to recall both the bill and the principal objections to it briefly to your mind, even at the risk of repeating myself, for I know how easy it is to get rusty on such subjects, and unless you know what the organizations are disagreeing *about*, it is harder than ever to decide which is right.

At the opening session of the Convention of the National Woman's Party Mrs. Belmont, the President, read the new "Declaration of Principles" which the organization has now adopted as its working plan. Miss Alice Paul, the Vice-President, pointed out that the three most important planks in it were, first, the new standard between husband and wife; second, the new ideal as to support of wife and family; and third, the statement calling for equality of opportunity in the economic field between men and women. I wish I had space to quote this declaration in full, but though that is impossible, I will show you what seem to me some of the "high spots"—either because I agree with them, or because I do not.

"Be it resolved . . . that women shall no longer be regarded and shall no longer regard themselves as inferior to men, but the equality of the sexes shall be recognized. . . .

"That women shall no longer be barred from any occupation, but every occupation open to men shall be open to women, and restrictions upon the hours, conditions, and remuneration of labor shall apply alike to both sexes."

I might as well confess very frankly, Lucy, that it never occurred to me to regard myself as inferior to a man, that I have never known a woman who did, and that it was news to me that *any* woman did! On the other hand, women are certainly *different* from men, and I liked what one of the doctors who was a delegate to the convention had to say in this regard.

"Biologically and physiologically there is a difference [between the sexes] . . . It may eventually be revealed that each sex has a fitness for certain kinds of action, not necessarily that women are inferior to men; in fact, they may be superior. Woman probably has certain mental and physical attributes which eminently fit her for certain work."

Protection of Motherhood

I felt that Dr. O'Malley was absolutely right. We can not get away from the fundamental biological differences of sex, and she might have added that a little girl can not play so good a game of baseball as a little boy, not because she may not be as skilful an athlete, but because her arm is formed differently. She might also have added that while paternity involves no drain at all, maternity involves a very great one, and that if this drain is disregarded, we at once establish a menace not only to women but to all posterity. This being so, the second statement which I have read to you from the Declaration of Principles seems to me fraught with danger, for there are certain occupations perfectly suitable for a man to pursue, that are intrinsically injurious to a woman.

On the other hand, standing out among a number of declarations which are not of vital importance to the great majority of women, perhaps, in either one way or another, here are some with which it seems to me no intelligent person can possibly quarrel or even disagree.

"That women shall no longer be denied equal educational opportunities with men, but the same opportunities shall be given to both sexes in all schools, colleges, and universities which are supported in any way by public funds . . .

"That a double moral standard shall no longer exist, but one shall exist for men and women . . .

"That the wife shall no longer be considered as supported by the husband, but that their mutual contribution to the family maintenance shall be recognized . . .

"That the husband shall no longer own his wife's services, but that these shall belong to her as in the case of any free person . . .

"That the husband shall no longer own his wife's earnings, but that these shall belong to her alone . . .

"That the husband shall no longer own or control his wife's property, but it shall belong to her and be controlled by her alone."

In other words, Lucy, that a woman, married as well as single, has the same right to economic independence as a man, that her service in taking care of a house and bringing up children has a cash value, and that outside earnings are no more her husband's than his are hers.

"That the husband shall no longer obtain divorce more easily than the wife, but the wife shall have the right to obtain divorce on the same grounds as the husband . . .

"That the father shall no longer have the paramount right to the care, custody, and control of the child, to determine its education and religion, to the guardianship of its estate, and the control of its services and earnings, but that these rights shall be shared equally with the father and mother in the case of all children, whether born with or without the marriage ceremony . . . "

Mrs. Belmont's Dinner

On the evening of the same day when this declaration of principles was adopted, Mrs. Belmont gave a beautiful dinner to the delegates at the Willard, and with the kindness and cordiality which the organization has always shown to me, I was invited and delightfully placed at the speakers' end, between the Reverend Olympia Brown, the aged woman who was the first minister of her sex in this country, and Dr. Gilette Hayden, a pioneer among women dentists and one of the national vice-chairmen. The huge table, in the form of an open square, was magnificently decorated with purple, yellow, and white flowers, the party colors; the menu was perfect, and I do not think I have ever seen so large a group of women who were so uniformly handsome and elegantly dressed, while the speeches which followed the dinner were of the highest order, so far surpassing those usually given on such occasions in their display of intellect and literary powers that they made a deep impression upon me. The first one was given by Mrs. Harvey W. Wiley, the wife of the famous doctor, and the Chairman of the Homemakers' Council, a woman whose loveliness and strength of character are fully reflected in her face; and I want to quote it to you rather fully, for it was not only one of the finest of the Convention, but one of the finest I ever heard anywhere.

"Frankly, it does not seem to me that laws can be passed to help in home-making. Law can be evoked in home-breaking . . . Personally I look upon home-making as a most delightful occupation, and I do not make any apology for enjoying it. I believe that the average home-maker, like the shoemaker of old, should stick to her last and not try to combine a career with the rearing of children. Too much can be said of 'rights' and not enough of 'responsibilities' and 'obligations.' Reginald Kauffman has said, 'Women's rights should not make children's wrongs.' If home is to be a place where strife is shut out and love shut in, some one has to make some personal sacrifice. Nothing is worth while which is not purchased with a price. If home is to be a place where there are little children, there must always be self-sacrifice on some one's part, and the one who makes the home must pay the price . . .

"I believe that children need the closest attention of their mothers for ten or fifteen years, and that then a mother is more or less free to

turn her attention to any outside piece of work she cares to undertake, with her life richer and better for the contact with little children. She would make a better politician, because she would have more patience and a keener sense of humor. That she would be a better teacher goes without saying. She would be a more thoughtful writer, having had a deeper insight into life . . .

"It has been stated . . . that we are 'demanding rights which curtail the liberty, the happiness, and the privileges of some one else.' Whereas we are only asking our full share. We are only asking that in the home the father and mother should be equals, each contributing of his best to that home and each receiving a just share of the family income . . .

"Woman has been dependent upon man all these thousand years and more for the kind of home he was willing to give her. In many cases she was obliged to play the part of the square peg in the round hole. It can in fairness be said that not until the twentieth century has it ever occurred to any one to make a calculation of the value of the unpaid services of the woman in the home. Did *you* ever calculate it? As has been said, 'Man has found in woman the greatest labor-saving device ever discovered.' The time has come when the home-maker should find her own value, financial, educational, constructive, and social."

Speakers for the Blanket Bill

This speech was followed by many other splendid ones, made by the heads of councils, representing clergymen, lawyers, doctors, nurses, and scientists preeminent in their professions. Mrs. Robert Goelet of New York, a perfect vision of loveliness in black velvet and pearls, brought greetings from the women of Italy, her native country. Madame Cobina, one of the founders and a prima donna with the Monte Carlo Opera Company, sang divinely. Miss Emma Gillett, Dean of the Washington College of Law, called attention to the research work of the National Woman's Party, "the most important constructive piece of work ever undertaken by any group of women"—an opinion in which I heartily agree with her, for the pamphlets, "How state laws discriminate against women," giving, state by state, in brief and concise form, the statutes that are to her disadvantage; and the more recent compilations, showing which states have the *best* laws, in certain specific respects, for women—Oregon on divorce, Mississippi on guardianship, North Dakota on illegitimacy, etc.—seem to me invaluable, and should be consulted by women everywhere.

There were, however, two classes of women entirely unrepresented among the speakers—women in agriculture and women in industry; and since of all classes these two, who work the hardest, who often suffer and sometimes die because of the severity of their labors, and not the highly trained and highly cultured and highly educated professional women, are to be the first and most vitally affected by improved conditions for women, I felt this lack of representation to be a grave omission. I do not know whether their absence was due to the fact that they were not invited, or that they did not wish to come, but either reason would seem to me equally lamentable.

The impressions made upon me by the sessions of the Convention of the Consumers' League which I attended were entirely different. The speeches which followed their banquet at Rauschers' were almost exclusively on the subject of Child Labor, and both Mrs. Blair and Mrs. Upton, the Democratic and Republican National Chairmen, joined with Mrs. Kelley, the Secretary of the Consumers' League, in backing a Federal Amendment on this question.

The first afternoon session was given over to a Work Conference, and the discussions centered upon minimum wage—Miss Elizabeth Brandeis, the daughter of Associate

Justice Brandeis of the Supreme Court, one of the best friends labor has had in this country, and herself the Secretary of the Minimum Wage Board in the District of Columbia, contributing a valuable paper on this subject—the eight-hour day, and prohibition of night work. An account followed of "How the Public Can Help the Woman's Bureau of the United States Department of Labor," by Mary Anderson, that sweet, strong, and serene woman who has worked herself up from the humblest surroundings to the position of Chief in this great Government Office. Nearly all the surveys made in this department, Miss Anderson said, "are undertaken at the request of state authorities or state organizations," giving as an example an investigation just completed, conducted simultaneously in eleven states. There seems to be no doubt of the value of these surveys or of the demand for them, but after they are made they are not used as much as they should be, for they are necessarily bare statements of facts, always unadorned, and often dry. If the women's clubs, who are often the very ones to insist that they shall be made, will do their share in popularizing them, by helping to put them before the general public in more attractive form and giving them helpful publicity, a great stride will be made.

"You can help, too," she went on, smiling, "you women through the country, by reminding your Congressmen from time to time that the Woman's Bureau needs money to do this work and other work for you, and suggesting to them that we need larger rather than smaller appropriations if we are to help you as much as we want to. With more money we can do better work and more work."

This session was followed by a tea given to the delegates by Mary Roberts Rinehart, the famous author, who is in thorough sympathy with their views; and since she began her own wonderful career as a trained nurse and is now the wife of a well-known doctor, her opinion naturally has a good deal of weight.

Those Against the Blanket Bill

The evening session was a conference on "What Women Want and Can Not Have With Blanket Equality," Miss Julia Lathrop, the former head of the Children's Bureau, presiding, and delegates from fifteen different women's organizations speaking against the bill. Florence Kelley is a brilliant speaker, amazingly quick and keen; Julia Lathrop, and Ethel Smith, the Legislative Secretary of the Women's National Trade Union League, are forceful and excellent ones. But aside from these, there was no extraordinary display of eloquence and polish; there were no elegant dresses, no signs of wealth; *but every one of these women who spoke had some reason, based on personal experience, why she did not want the blanket bill to pass,* and stated it with a clearness and a sincerity that—to me, at least—were overwhelmingly convincing. I wish you could have heard them all, but I am quoting to you parts of some that seemed to me especially compelling.

"I am at present employed in a mercantile establishment and have been so employed for several years prior to the enactment of the eight-hour day and the minimum wage laws. I am, therefore, in a position to realize fully just what women in industry will lose through blanket equality. I haven't forgotten the hardships of working ten or more hours a day, the dread of the Christmas season, when I was required to work from eight A. M. to ten or eleven P. M., with such short periods for lunch and supper that I had scarcely time to eat, and no time for the rest that every muscle in my body ached for. Nor have I forgotten the struggles of the women with whom I worked, trying to get along on pitifully inadequate wages. These past conditions are very vivid in my mind—so vivid, in fact, that I can't understand why any thinking, wage-earning woman would not oppose any law that would tend to the return of such conditions." . . .

"To the public present here tonight I wish

to say in behalf of my fellow workers that before there was a minimum wage in the District of Columbia, women were in the same class as slaves. No one made enough money to buy the necessities of life. They were in the same classes as a hunted animal, driven from post to post without food or clothing, ground down until life itself seemed too great a burden to bear . . . Before the minimum wage law went into effect, the wages of store workers ranged from eight to ten dollars a week, twelve being the highest. Now, with sixteen dollars and fifty cents a week, you can readily see what a girl would lose. Since the minimum wage there has been a better class of employed girls, a better, cleaner type than ever before, because they can at least get enough to live decently, and are better not only morally but physically than in the old days . . .

"If such a law passed, saying in effect that no legislation should obtain unless it applied to both sexes, who should say that maternity laws and widows' pensions should remain on the statute books? Do men need maternity laws? . . .

"The blanket equality legislation would tie men and women together. It would abrogate the working woman's independence, destroy her laws, and compel her to accept the identical methods and policies that men have, whether she liked them or not, whether they were feasible or good for her or not, whether they were necessary or not. It is just as illogical, tyrannical, and reactionary as it would have been to force equal suffrage by taking the vote away from men.

"It is a significant fact that the eight and a half million women in industry, the ones who would be most directly affected, are, through their organizations, strenuously opposing 'blanket legislation.' It is these women who would pay for it, not the successful professional woman, the highly-paid office manager, the exceptional secretary, but the woman whose earnings at best keep her only a little above the safety line. Blanket legislation, with its inevitable disturbance of minimum wage laws, means a heart-sickening thing to the woman whose wages are never more than a tiny margin above the minimum. The annulment of mothers' pension laws means despair to the widow working her best to keep her little family together . . . The girl in the department store—what does she think of the scheme to sweep her rest-chair away with the flapping corner of blanket legislation?"

These are hard facts, Lucy—facts that you and I have never been called upon to face ourselves, thank God! But shall we refuse to face them for the sake of the woman who must? Think them over carefully. In January a great Conference of Women in Industry is to take place here at the call of the Secretary of Labor, and the National Woman's Party and the Consumers' League—as well as many other organizations—will have representatives there. I hope what I have written now may help you—at least a little—to understand the questions that will arise again then.

The Pan-American Mass

This is Thanksgiving Day, and I have just come home from hearing the Pan-American Mass given in honor of the representatives of South and Central American countries, one of the most famous of annual services here, celebrated at St. Patrick's Church. I do not think that any woman who is not herself a member of the Roman Church—who is, indeed, a devoted member of another communion—appreciates the great significance and richness of many of its services more than I do, and I was delighted when Senator Walsh of Montana invited me to go to this one with him.

It was a beautiful spectacle. For a block on either side of the church cadets from St. John's College stood at attention along the sidewalk, and flanked either side of the awning that stretched from the curb to the steps.

Inside the church every pillar was wrapped with our American flag, while the flags of two Pan-American countries, gracefully draped, hung from either side of the pillar. The top of every pew in the center aisle was surmounted by a flag, ours on the pews reserved for the members of the Supreme Court, the Senate, and the Army and Navy who had been invited, the others with those of the Pan-American countries; while under each flag was fastened the corresponding coat-of-arms. As soon as the service had begun, the cadet officers, with unsheathed swords, took their places beside these pews, standing erect; and at the beginning and end of the Mass there was a presentation of arms and "the colors." Official representatives of Roman Catholic countries all over the world joined in this celebration, with Archbishop Curley presiding and more than two hundred priests participating; the music, rendered by two choirs, was divinely lovely; while the sermon, with Paul's pride in his Roman citizenship, and the privileges and responsibilities which it gave him as a test, dwelt on the still greater privileges and responsibilities which the citizens of all American countries enjoy, and the thankfulness which we should feel for them.

Counting My Blessings

I *do* feel thankful for them—and for many other things—increasingly thankful as time goes on. I never wake in the morning, for instance, without a conscious feeling of thankfulness that I am well, that I can get up and work and play as much as I want to, after so many years of invalidism when I could do nothing at all. I can't seem to get used to it, to take it as a matter of course. I can't seem to take the joy of children as a matter of course either, for life would not have been worth living for me without them—and two tousled heads near me, bent close together over some rare specimens for their stamp collection, just given them by the Serbian Minister, are reminding me poignantly at this very minute of two other causes for gratitude. I am thankful for a home, not merely a crowded, rented cubicle, but a dwelling-place where my ancestors have lived before me, and where—I hope—my descendants will live after me—a house for which I have hemmed the curtains and embroidered the towels, and collected the books and pictures myself. But most of all, this Thanksgiving Day, in view of the way in which I have spent so much of the month, I am thankful for the men I have known. This is such a terribly old-fashioned sentiment that I hardly dare give voice to it, but perhaps it is time that some one spoke a few words in defense of man, who is nowadays rather neglected, and I am glad to do it.

But let us be just. The laws which "discriminate against women" were not originally framed to do this. They were framed to relieve women of responsibility, to defend them from a struggle with conditions which would have been hard for them, to shelter and protect them. These laws have been abused, of course, sadly abused, sometimes; and we have certainly outgrown them. Men have been slow to admit it—but that again was because the fostered woman was their ideal, and they could not seem to realize that the fostered woman was, in reality, often a hampered or persecuted one. Now they are beginning to realize this as well as women, and will not refuse, I believe, to try to correct the unfair laws. Not having led a particularly restricted or secluded life, I have, of course, known some men whose private lives and public careers did not fill me with admiration and respect, but taking them by and large, I have found them decent, kindly, honest, and honorable, and there are few whom I have known well whom I do not feel the better for having known. I have infinite faith in mankind, as well as in womankind. And I am supremely thankful that this is so!

Always affectionately yours,

Frances Parkinson Keyes

children starving for learning

Mother

and hoping
tells about

iess

of the Emancipation Proclamation? To honor her son many shafts have been built and statues set up, but his greatest monument is the Lincoln Memorial University at Harrogate, Tennessee, up in the Cumberland Mountains where Tennessee, Kentucky, and Virginia join. Placing his finger on that exact spot on the map, Lincoln himself said to General Howard:

"Howard, you can trust the people living in this section. I came from them, and I know. . . . I want you to do something for these mountain people who have been shut out of the world all these years."

The response to this plea is the Lincoln Memorial University, an Opportunity School for the needy boys and girls of the Appalachian Hills. Seven hundred and fifty strong, they come in from their mountain homes, sometimes from windowless and floorless log cabins harboring broods of perhaps a dozen; and when they stand before the college gate they are facing their one hope of getting out of their cruelly hampered lives, from which they know only education can liberate them. They acknowledge themselves the slaves of ignorance, and they ask to be admitted; they plead, and then they demand, to stay and learn. But of that seven hundred and fifty students over eighty percent must earn the education they demand. Is it possible that any are turned away? Yes. The room and money for the

THE NATIONAL WOMAN'S PARTY

1913

1926

The Woman's Party Banners Leading Equal Rights Delegation to the White House

National
Headquarters

Capitol Hill,
Washington, D. C.

25 Cents Per Copy

JAN 7 1966

THE NATIONAL WOMAN'S PARTY

Object

THE National Woman's Party is a non-partisan organization of women formed to win complete freedom for women in all fields. It is open to all women who will put the cause of woman's freedom before the interests of any political party.

Founded

It was founded in 1913, as a temporary body, to secure an amendment to the National Constitution enfranchising women.

Reorganized

It was reorganized in 1921, after the winning of suffrage, as a permanent association to secure the removal of all the remaining forms of the subjection of women.

Principles of the Woman's Party

The objects of the Woman's Party are given in detail in its *Declaration of Principles*, which is based upon the Equal Rights program drawn up by Lucretia Mott and Elizabeth Cady Stanton, at the first Equal Rights convention at Seneca Falls in 1848. Of the original Equal Rights demand of 1848, only one point, that of suffrage, has been completely won in the United States. The remainder of the 1848 program constitutes, in substance, the program of the Woman's Party today. The Declaration of Principles of the Woman's Party, adopted at a national conference of its officers and leaders in 1922, is as follows:

661395

Memorial Statue of Pioneers, Elizabeth Cady Stanton, Susan B. Anthony, and Lucretia Mott, placed by the Woman's Party in the crypt of the National Capitol.

—*Adelaide Johnson, Sculptor.*

DECLARATION OF PRINCIPLES

WHEREAS, Women today, although enfranchised, are still in every way subordinate to men before the law, in government, in educational opportunities, in the professions, in the church, in industry, and in the home.

BE IT RESOLVED, That as a part of our campaign to remove all forms of the subjection of women, we shall work for the following immediate objects:

THAT women shall no longer be regarded and shall no longer regard themselves as inferior to men, but the equality of the sexes shall be recognized.

THAT women shall no longer be the governed half of society, but shall participate equally with men in the direction of life.

THAT women shall no longer be denied equal educational opportunities with men, but the same opportunities shall be given to both sexes in all schools, colleges and universities which are supported in any way by public funds.

THAT women shall no longer be barred from any occupation, but every occupation open to men shall be open to women, and restrictions upon the hours, conditions, and remuneration of labor shall apply alike to both sexes.

THAT women shall no longer be discriminated against in the legal, the medical, the teaching, or any other profession, but the same opportunities shall be given to women as to men in training for professions and in the practice of these professions.

THAT women shall no longer be discriminated against in inheritance laws, but men and women shall have the same right to inherit property.

THAT the identity of the wife shall no longer be merged in that of her husband, but the wife shall retain her separate identity after marriage and be able to contract with her husband concerning the marriage relationship.

THAT a women shall no longer be required by law or custom to assume the name of her husband upon marriage, but shall have the same right as a man to retain her own name after marriage.

THAT the wife shall no longer be considered as supported by the husband, but their mutual contribution to the family maintenance shall be recognized.

THAT the headship of the family shall no longer be in the husband alone, but shall be equally in the husband and wife.

THAT the husband shall no longer own his wife's services, but these shall belong to her alone as in the case of any free person.

THAT the husband shall no longer own his wife's earnings, but these shall belong to her alone.

THAT the husband shall no longer own or control his wife's property, but it shall belong to her and be controlled by her alone.

THAT the husband shall no longer control the joint property of his wife and himself, but the husband and wife shall have equal control of their joint property.

THAT women shall no longer be discriminated against in civil and government service, but shall have the same right as men to authority, appointment, advancement and pay in the executive, the legislative, and the judicial branches of the government service.

THAT women shall no longer be discriminated against in the foreign trade, consular and diplomatic service, but women as well as men shall represent our country in foreign lands.

THAT women shall no longer receive less pay than men for the same work, but shall receive equal compensation for equal work in public and private employment.

THAT women shall no longer be barred from the priesthood or ministry, or any position of authority in the church, but equally with men shall participate in ecclesiastical offices and dignities.

THAT a double moral standard shall no longer exist, but one code shall obtain for both men and women.

THAT exploitation of the sex of women shall no longer exist, but women shall have the same right to the control of their persons as have men.

THAT women shall no longer be discriminated against in treatment of sex diseases and in punishment of sex offenses, but men and women shall be treated in the same way for sex diseases and sex offenses.

THAT women shall no longer be deprived of the right of trial by a jury of their peers, but jury service shall be open to women as to men.

THAT the husband shall no longer obtain divorce more easily than the wife, but the wife shall have the right to obtain divorce on the same grounds as the husband.

THAT the husband shall no longer have a greater right to make contracts than the wife, but a wife shall have equal right with her husband to make contracts.

THAT married women shall no longer be denied the right to choose their own citizenship, but shall have the same independent choice of citizenship as is possessed by their husbands.

THAT women shall no longer be discriminated against in the economic world because of marriage, but shall have the same treatment in the economic world after marriage as have men.

THAT the father shall no longer have the paramount right to the care and custody of the child, to the guardianship of its estate, and to the control of its education, religion, services and earnings, but these rights shall be shared equally by the father and mother in the case of all children, whether born within or without the marriage ceremony.

THAT no form of the Common Law or Civil Law disabilities of women shall longer exist, but women shall be equal with men before the law.

IN SHORT—THAT WOMAN SHALL NO LONGER BE IN ANY FORM OF SUBJECTION TO MAN IN LAW OR IN CUSTOM, BUT SHALL IN EVERY WAY BE ON AN EQUAL PLANE IN RIGHTS, AS SHE HAS ALWAYS BEEN AND WILL CONTINUE TO BE IN RESPONSIBILITIES AND OBLIGATIONS.

THE FIRST SUFFRAGE PROCESSION IN THE NATIONAL CAPITAL

PIN AWARDED PICKETS

DEPUTATION OF WOMEN FROM ALL STATES TO CONGRESS

SUFFRAGE PICKETS MARCH TO WHITE HOUSE GATES

LEADING PICKET LINE TO WHITE HOUSE

MEETING OPPOSITE WHITE HOUSE TO PROTEST DELAY

IN WINTER AS IN SUMMER THE PICKETS HOLD THEIR BANNERS

FIRST SUFFRAGE PRISONERS IN CONVICT UNIFORM

BANNERS THAT RALLIED THOUSANDS TO THE CAUSE

WHAT THE WOMAN'S PARTY HAS DONE

History from 1913 to 1921

The Woman's Party began in 1913 a nation-wide campaign to unite and direct upon Congress the scattered and isolated suffrage efforts of women which were at that time devoted mainly to attempts to win suffrage State by State. It brought, for the first time, to the support of the National Suffrage Amendment the political power of the women already enfranchised in nine of the Western States, by organizing their voting strength against the Party and individuals who were blocking the amendment in Congress. It sent to the President and Congress deputation after deputation — ever more frequently — until finally the deputations became perpetual, taking the form of the historic picketing of the White House and the Capitol. Through every means at its command, the Woman's Party forced the National Suffrage Amendment from obscurity into the forefront as a dominant political issue. Finally in 1920, after seven years of intensive effort and unceasing protest, during which over one hundred women were imprisoned, the National Amendment was adopted, and thereby suffrage for women was established throughout the United States.

OUTLINE OF CAMPAIGN, 1921-1926

Equal Rights Amendment Introduced

As during the suffrage campaign the Woman's Party put its strength into uniting back of the National Suffrage Amendment the scattered forces which had been divided among many state and local suffrage campaigns, so at the present time it is seeking to focus upon the National Equal Rights Amendment the various forces working for the different items on the Equal Rights program such as jury service, equal guardianship, equal property rights, equal pay, equal professional and industrial opportunities. The Equal Rights Amendment, uniting in one measure all of the widely differing points on the Equal Rights program and applying to all States and localities, was drafted by the Woman's Party and named the Lucretia Mott Amendment in honor of Lucretia Mott, the founder of the Equal Rights movement in the United States.

The Amendment reads:

> "Men and women shall have Equal Rights throughout the United States and every place subject to its jurisdiction."

It was introduced upon the opening of Congress in 1923 by Senator Curtis, now the Republican leader of the Senate, and by Representative Anthony, nephew of Susan B. Anthony, who, with Lucretia Mott, was one of the great pioneers and leaders in the Equal Rights movement.

Women from all States taking part in the Woman's Party deputation to President Coolidge in the interest of the Equal Rights Amendment, taken at the east gate of the White House.

Deputations to the President

Three deputations have been sent by the Woman's Party to President Coolidge to urge the Administration's support of the Equal Rights Amendment, and before his death a large delegation was sent by the Woman's Party to President Harding to enlist his support. Notable among these deputations to President Coolidge was one composed of New England women from his own part of the country and the delegation of wage-earning women who marched to the White House from a great mass meeting of wage-earning women, to urge the Equal Rights Amendment because of the help it will mean in bringing Equal Rights in industry.

Deputations to Congress

Following the introduction of the Equal Rights Amendment in Congress, there has been an uninterrupted series of delegations visiting the congressional leaders, committee members and members of Congress in general, to urge the immediate passage of the Amendment. Hardly a day has passed since the Amendment was first placed before Congress in which there has not been a group of Woman's Party members in the halls of Congress working for the measure.

Members of the Woman's Party appeal to President Harding to support Equal Rights Amendment.

Hearings Before Congress

Hearings on the Equal Rights Amendment have been held before committees of both Houses of Congress, to which women came from all parts of the country to speak in support of the measure, and hearings have also been held on the minor points covered by the Amendment, such as equalizing citizenship rights of married men and women, giving jury service to the women of the District of Columbia; giving equal contract rights

Senator Curtis speaking at the Headquarters of the National Woman's Party in support of complete equality for women.

Purple, white and gold banners made famous in the suffrage fight now lead the forces of Equal Rights.

to married women of the District of Columbia, and the equal application as to men and women of pension laws. Through these hearings not only has the attention of Congress been concentrated upon the Equal Rights question, but the attention of the whole country has been called to this unsettled problem still confronting Congress.

Investigation of Discriminations Against Women

As a basis for its work in removing all discriminations against women, the Woman's Party undertook and is still carrying on an examination of every constitutional provision, every statute and every court decision bearing upon the position of women, both State and National. This investigation is by far the most extensive and thorough-going ever made into the legal status of American women, and is giving for the first time

Maud Younger, Congressional Chairman, discussing the Equal Rights Amendment with Senator Curtis, who introduced it in the Senate.

to women the basis of knowledge with regard to their legal rights and disabilities necessary for any campaign to remove these disabilities.

Campaign for Industrial Equality

In no part of the Woman's Party campaign since the winning of suffrage has the progress been more striking than in the movement to secure Equal Rights in industry and the removal of the handicap of so-called "protective" legislation based upon sex. When the Equal Rights Amendment was introduced, no national organization existed in the United States through which women could unite their efforts against the restrictions of legislation in industry based upon sex. In the short time since the Woman's Party has conducted its campaign for equality in the field of industry, the whole current of thought in the United States has been changed and a [illegible]

Members of the National Woman's Party, with Representative Anthony, following his introduction of the amendment in the House.

Delegation of the Woman's Party to Senator Cummings, Chairman of the Judiciary Committee, to which the Equal Rights has been referred

THOUSANDS OF PEOPLE GATHERED ON CAPITOL HILL TO TAKE PART IN THE CEREMONIES DEDICATING THE HEADQUARTERS OF THE NATIONAL WOMAN'S PARTY.

The Headquarters stand upon a terrace, with a garden at the side and rear.

AT the time of the dedication, the National Woman's Party headquarters were opened to the women of all nations as a place for international consultation and a center for the woman's movement of the world. Here the Woman's Party welcomes women from abroad, and gives the women of America an opportunity to hear their messages and the news they bring of the movement for equal rights in their own countries.

The Headquarters of the Woman's Party face the National Capitol across a park of magnificent trees.

A stop in Colorado on the Coast-to-Coast Tour for Women for Congress.

A Reception to Mrs. Corbett Ashby in the garden of the Woman's Party Headquarters.

First Meeting of the National Council of the Woman's Party following the reorganization for the Equal Rights Campaign.

Officers of the Woman's Party discussing with Secretary of the Navy Wilbur the question of Equal Rights for Women in the Government Service.

The Campaign of Cartoons which Nina E. Allender has conducted for the National Woman's Party has won thousands of converts.

ible demand for Equal Rights in industry has been organized which is rapidly sweeping all barriers before it.

In recognition of the leadership which the Woman's Party has taken in the movement for Equal Rights in the economic field and in all industrial laws, three representatives of the Woman's Party have been appointed as official advisors of the Women's Bureau of the United States Department of Labor in connection with the investigation of this subject.

Campaign for Women in Elective Offices

In order that women may share in the administration as well as in the making of the laws of our country, the National Woman's Party has promoted in every way possible the appointment and election of women to administrative positions. In the last campaign for Congress it sent speakers from the National Headquarters to all parts of the United States to encourage women to be candidates, and conducted an intensive campaign extending over several months for five women candidates for Congress representing different political parties.

Already preparations are under way for the support of qualified women candidates for Congress in the 1926 elections. In the interest of this campaign a nation-wide tour extending from coast to coast has been made by two of the National officers of the Woman's Party, in the course of which women candidates in the various States have been interviewed and committees have been organized for their support.

Campaign for Women for Appointive Offices

Women have been supported not only for elective but also for appointive offices under the national and local governments. The most notable achievement of this period has been the appointment of a woman as United States Civil Service Commissioner, the highest position in the Federal Government so far held by a woman. From the time the vacancy occurred in the Commission, the Woman's Party vigorously pressed the appointment of the present incumbent, who was appointed to the office by President Coolidge and confirmed by the Senate in January, 1926.

Campaign for Equality in the Professions

The Woman's Party has organized Professional Councils to promote the interests of women as the conditions in each profession demand. Councils have so far been organized for actresses, authors, dentists, Government workers, industrial workers, home-makers, journalists, lawyers, ministers, musicians, nurses, physicians, political workers, librarians, scientists and students. These Councils are officered by leading women in each field and are steadily growing in numbers and influence. Among the achievements in this field have been the placing of women on Personnel Boards in the Federal Government through the effort of the Government Workers' Council; the retaining of positions as principals for women in various high schools, through the efforts of the Teachers' Council; the opening to women of positions in libraries formerly open only to men, through the efforts of the Librarians' Council.

Campaign for Equal Rights in the States

In addition to its campaign for the National Amendment and for women in national office, the Woman's Party has drafted 506 bills for State Legislatures. These State bills have been designed to equalize control of children, of property, of earnings; to make contractual rights, citizenship rights and inheritance rights equal; to provide equal opportunities in the schools and universities, in professions and industries, and in Government service; to provide equal pay for equal work; to assure equal right to individual identity after marriage; to equalize moral standards. By the passage of these bills, 60 points in the Equal Rights campaign, affecting the lives of 26,000,000 women, have been won. The Equal Rights measures which the Woman Party has assisted in securing in the State Legislatures are in detail as follows:

IN CALIFORNIA

Married women were given equal right with their husbands to will away half of the community property, which consists of property acquired after marriage by the industry of either or both of the married pair. (Regular session, 1923.)

Mothers were given equal right with fathers in appointing a guardian for their children by will. (Regular session, 1925.)

IN COLORADO

The mother was given equal right with the father to sue for damages for a wrongful injury to a child. (Regular session, 1923.)

IN DELAWARE

Women were given the right by constitutional amendment to hold all public offices. (Regular sessions, 1921 and 1923.)

Mothers were given equal right with fathers to appoint by will a guardian of their minor children. (Regular session, 1923.)

Mothers were given equal right with fathers to inherit real estate from their deceased child. (Regular session, 1923.)

Widows were given the same share in the real estate of deceased husbands as widowers have in the real estate of deceased wives. (Regular session, 1923.)

Wives were given equal right with husbands to reserve a limited amount of property which cannot be taken to satisfy debts. (Regular session, 1923.)

Mothers were given equal rights with fathers to inherit personal property from their deceased child. (Regular session, 1925.)

Wives were made responsible for their civil wrongs. (Regular session, 1925.)

IN GEORGIA

The mother was given equal right with the father to inherit from their deceased child. Regular session, 1922.)

Married women were expressly given the right to be appointed guardians. (Regular session, 1922.)

Women were given the same right as men to be appointed guardians for their collateral relatives. (Regular session, 1922.)

IN LOUISIANA

Women were given the right to hold all civil and political offices. (Regular session, 1921.)

Women were given the right to be appointed administrators or executors on the same terms as men. (Special session, 1921.)

Women were given the right to be appointed as notaries public. (Special session, 1921.)

Women were given the right to act as "witnesses assisting at public inventories." (Special session, 1921.)

Women were made "capable of all kinds of engagements and functions." (Special session, 1921.)

Widows were given the right to retain the guardianship of their children after re-marriage. (Special session, 1921.)

Women were given the right to be made guardians of children on the same terms as men, by will of the surviving parent, or by appointment when the parent dying last leaves no will. (Special session, 1921.)

Women were given the same right to act as guardian of their grandchildren as possessed by the grandfather. (Special session, 1921.)

Women were given the right to an equal voice in the sale or mortgage of the family home so that the family home "shall not . . . be validly sold or mortgaged except with the consent of both husband and wife." (Special session, (1921.)

Women were admitted to membership in the "family meeting" which, in Louisiana, passes by law upon matters pertaining to the family. (Special session, 1921.)

Women were given the right to serve on juries by a statute supplementing the constitutional provision. (Regular session, 1924.)

IN MAINE.

Women were given the right to jury service. (Regular session, 1921.)

IN MARYLAND

Women were given the right to hold various public offices previously confined to men. (Regular session, 1922.)

Women teachers in the public schools were given equal rights with men teachers. (Regular session, 1924.)

Policewomen in Baltimore were given equal pay for equal work. (Regular session, 1924.)

Grandmothers were given equal rights with grandfathers to inherit from deceased relatives. (Regular session, 1924.)

IN MASSACHUSETTS

Mothers were given equal rights with fathers in appointing a guardian for their children by will. (Regular session, 1922.)

IN MISSISSIPPI

Mothers were given equal right with fathers to the care and custody of their children and to the services and earnings of their children. (Regular session, 1922.)

IN NEW JERSEY

Women teachers in the public schools were given equal rights with men teachers. (Regular session, 1925.)

Mothers were given equal right with fathers to the services and earnings of their minor children. (Regular session, 1926.)

Women were given the same right as men to be executors and trustees. (Regular session, 1926.)

IN NEW YORK

Mothers were given equal rights with fathers to custody of a child when the parents are living apart without divorce. (Regular session, 1923.)

Girls were given the same protection as boys with respect to capacity to make wills of personal estate. (Regular session, 1923.)

Mothers were given equal right with fathers to inherit real estate from their deceased child. (Regular session, 1923.)

Women were given the right to inherit equally with men relatives in equal degree of kin in cases not otherwise provided for by statute. (Regular session, 1923.)

Mothers were given equal rights with fathers in the guardianship of the real estate of minor children. (Regular session, 1924.)

Women teachers in the public schools were given equal pay with men teachers for equal work. (Regular session, 1924.)

Women were given the same rights as men to be appointed administrators of estates. (Regular session, 1925.)

IN OHIO.

Mothers were made joint guardians with fathers of minor children and given equal right to the children's services and earnings. (Regular session, 1923.)

Married women were given the same right to choice of a voting residence that married men have. (Regular session, 1923.)

Mother's consent as well as father's consent to marriage of minor child was made necessary. (Regular session, 1923.)

Women as well as men were made of age at 21. (Regular session, 1923.)

IN OKLAHOMA

Women were given the right by constitutional amendment to hold all State elective offices. (Regular session and popular vote, 1923.)

IN PENNSYLVANIA

Married women were given the right to choose their own domicile for purposes of voting or holding office. (Regular session, 1923.)

Married women were given the right to divorce on grounds equal to those of husbands. (Regular session, 1923.)

Women divorced for adultery were freed from the forfeiture of their rights concerning their property. (Regular session, 1923.)

Wives were given the same right as husbands to acquire settlement for poor relief. (Regular session, 1923.)

Mothers were given rights more nearly equal with those of fathers in the custody, services and earnings of their children. (Regular session, 1925.)

Mothers were given equal rights with fathers in appointing a guardian for their children by will. (Regular session, 1925.)

Widows were given the right to administer the estate of their husbands on the same terms as the widower. (Regular session, 1925.)

IN SOUTH CAROLINA

Mothers were made joint guardians with fathers of minor children. (Regular session, 1923.)

Wives were given the right to sue and be sued without the joinder of the husband. (Regular session, 1925.)

IN VIRGINIA

Women were given the right after marriage to choose their own residence for voting purposes. (Regular session, 1922.)

Women were given equal inheritance rights with men. (Regular session, 1922.)

Women were given in certain instances a claim upon the estate of a deceased husband equal to the claim of a husband upon that of his deceased wife. (Regular session, 1922.)

Women were given the same right as men with regard to administration of estates. (Regular session, 1922.)

IN WISCONSIN

Women were given practically all rights under the law possessed by men, except with regard to industrial laws. (Regular session, 1921.)

Stimulating Public Interest in Equal Rights

The attention of the country has been increasingly turned to the Equal Rights question by publicity and organizing campaigns. Where, a few years ago, little was heard or written on the subject, today the people from one end of the country to the other are arguing in the press, at public meetings, in the home, for and against Equal Rights. This result has been accomplished, among other ways, by the nation-wide publicity campaign of the Woman's Party.

As a part of this publicity campaign, four great national Equal Rights pageants have been given by the Woman's Party: one at Seneca Falls in celebration of the seventy-fifth anniversary of the first Equal Rights convention; one in the Garden of the Gods in Colorado, as a part of a conference of the Western States in support of Equal Rights; one at Meadowmount, in the Adirondacks, in memory of Inez Milholland, who gave her life for the freedom of women; and one in Detroit, as a part of the Mid-Western conference of Woman's Party leaders. Probably the greatest throngs that have at any time in our nation's history gathered in support of a movement for greater freedom for women have been the gatherings assembled at these Equal Rights pageants.

The publicity and organizing campaign has also taken the form of series national conferences held in different parts of the country. Notable among these were the national conference of national,

Reviving the Woman's Rights Convention of 1848 on its seventy-fifth anniversary.

Susan B. Anthony's political policy is the policy of the National Woman's Party.

state and local officers and committee members held in Washington November, 1922, at which the Declaration of Principles of the Woman's Party was formulated; the national conference of leaders at Seneca Falls in the summer of 1923, at which the draft of the Equal Rights Amendment was formally adopted; the national conference in Colorado Springs in the autumn of 1923; the national conference in Washington in November, 1923; the conference to decide upon the election policy of the Woman's Party, at Westport, New York, in the summer of 1924. Nearly every month has seen conferences or mass meetings of some

Susan B. Anthony's grave heaped with flowers. Thousands of women at the Seneca Falls celebration paid tribute here.

type on a large scale in different parts of the country in support of the Equal Rights Amendment.

Literature

An entirely new literature to replace the literature of the suffrage campaign has been created and widely distributed throughout the country in support of the Equal Rights program. This literature has given the historic background of

In the beautiful Garden of the Gods, where great rocks rise like altars, the Woman's Party carried its banners, and thousands who witnessed their pageant shared in the desire and the demand of women to be free.

the movement, its extent in other countries and the conditions which make its fulfillment urgent.

Permanent Headquarters Established

During the first year after the reorganization of the Woman's Party on a permanent basis following the suffrage victory, permanent Headquarters from which to carry on the work for the freedom of women was opened in Washington. The historic building opposite the National Capitol which had been occupied from 1815 to 1819 by Congress was purchased by the National President of the Woman's Party, Mrs. O. H. P. Belmont, and presented as a gift to the association for its permanent home.

The Headquarters was dedicated in May, 1922, with impressive ceremonies in which women from all parts of the country participated. Senator Curtis, now the Republican Leader of the Senate; Senator Fess, at that time Chairman of the National Republican Committee, and Senator Caraway, representing the National Democratic Committee, spoke at the dedication, extending in person their good wishes for the new Headquarters. Greetings from the Governors of the various States, from women's organizations all over the world and from representatives of foreign nations were placed in the cornerstone.

Equal Rights Magazine

The Equal Rights campaign was strengthened by the establishing in the Spring of 1923 of an "Equal Rights" magazine—the official organ of the Woman's Party. This illustrated weekly carries news of the national campaign to the members of the organization throughout the country; it brings to the women of America news of what the women of other countries are doing to promote the cause of sex equality, and it tells the women of other lands of the effort and progress made in this movement in the United States.

Mme. Malterre-Sellier, Vice-President of the International Suffrage Alliance and Member of the International Advisory Committee of the Woman's Party, conferring with Mrs. O. H. P. Belmont and Alice Paul.

International Co-operation

The Woman's Party has sought to co-operate with the women of other nations in the movement for Equal Rights, believing that if women do not act internationally in their own interests they will find that the gains made in advanced nations are wiped out by the international influence of the less advanced. In dedicating its Headquarters, the Woman's Party declared them open to the women of the world for consultation and co-operation, and a constant stream of international visitors, interested in the movement for sex equality, has passed through the doors of the National Headquarters and been entertained at receptions and meetings of all types.

Within the last year the Woman's Party has organized an International Advisory Council, among the members of which are already numbered many of the most advanced feminists of thirteen nations. Through this committee women leaders in all countries will be able to keep informed of the woman's movement everywhere and to profit by the experience and advice of one another.

As a part of its effort to co-operate in the world-wide movement for Equal Rights, the Woman's Party, in the autumn of 1925, introduced in the Convention of the Interparliamentary Union in Washington a resolution calling for the support of the principle of Equal Rights and urging every parliament in the world to enact legislation establishing complete sex equality. This resolution is now pending before one of the committees of the Interparliamentary Union.

The Woman's Party has arranged to send a number of fraternal delegates to the Convention of the International Woman Suffrage Alliance meeting in Paris in May, 1926, in order to bring to the women of other countries who are seeking to win for women Equal Rights with men throughout the world, the assurance of the Woman's Party's earnest desire to co-operate with them and to add its strength to theirs in order that the long struggle of women for freedom may be brought to an immediate and successful conclusion.

International aspects of the Equal Rights program. Alice Paul discussing with members of the English section of the Advisory Committee—Mrs. Pethick Lawrence, Lady Rhondda and Elizabeth Robins.

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TREASURER'S REPORT

SUMMARY OF RECEIPTS AND DISBURSEMENTS FOR SUFFRAGE CAMPAIGN

FOR SUFFRAGE CAMPAIGN—DECEMBER 7, 1912, TO MARCH 15, 1922.

Total Receipts of National Headquarters for Suffrage Campaign	$796,055.19
Total Disbursements of National Headquarters for Suffrage Campaign	$796,055.19

FOR EQUAL RIGHTS CAMPAIGN—FEBRUARY 25, 1921, TO APRIL 30, 1926.

Total Receipts of National Hearquarters for Equal Rights Campaign	$443,711.46
Total Disbursements of National Headquarters for Equal Rights Campaign	443,408.94
Balance May 1, 1926	$302.52

FOR PUBLICATION OF "EQUAL RIGHTS" MAGAZINE—FEBRUARY, 1923, TO MAY 1, 1926.

Total Receipts reported by Committee on Publication of EQUAL RIGHTS	$23,769.54
Total Disbursements reported by Committee on Publication of EQUAL RIGHTS	23,586.79
Balance May 1, 1926	$182.75

SUMMARY.

Total Receipts of National Headquarters of Woman's Party from December 7, 1912, to May 1, 1926:		
For Suffrage Campaign	$796,055.19	
For Equal Rights Campaign	443,711.46	
For Publication of EQUAL RIGHTS	23,769.54	
		$1,263,534.19
Total Disbursements from all sources by National Headquarters of Woman's Party, December 7, 1912, to May 1, 1926:		
For Suffrage Campaign	$796,055.19	
For Equal Rights Campaign	443,408.94	
For Publication of EQUAL RIGHTS	23,586.79	
		$1,263,048.92
Balance on hand May 1, 1926 (including amount reported by EQUAL RIGHTS Publication Committee)		$485.27

The foregoing statement of Receipts and Disbursements for the period from December 7, 1912, to May 1, 1926, has been compiled from your records (with the exception of the amounts reported by the Committee on the Publication of EQUAL RIGHTS) and has been verified therewith. The receipts deposited in the National Woman's Party bank accounts were properly recorded. The cancelled checks have been examined and disbursements from these accounts found to have been made upon the authority of the proper officers.

(Signed) NETTIE A. TRAIL,
Certified Public Accountant.

May 8, 1926.

Join the Woman's Party—Active Membership, $10.00

MEMBERSHIP GIVES YOU—

1. A share in the national movement to remove every handicap upon women.

2. Contact with the women of your nation active in the campaign for woman's advancement; closer ties with the women of other nations; a partnership in the woman movement of the world.

3. A national headquarters through which you may work effectively for the advancement of women.

4. A beautiful clubhouse at the nation's capital where you may entertain and be entertained while in Washington.

5. Advice and information about all forms of government activity affecting women; about the campaign to end women's legal disabilities; about all phases of the woman movement.

MEMBERS OF NATIONAL COUNCIL

MRS. OLIVER H. P. BELMONT, N. Y., President

MRS. EDITH HOUGHTON HOOKER, Md., Chairman National Council and Editor of EQUAL RIGHTS.

Miss Margaret Whittemore, Cal., Vice President
Miss Doris Stevens, N. Y., Vice President
Mrs. John Rogers, N. Y., Vice President
Miss Myrtle Cain, Minn., Vice President
Mrs. J. D. Wilkinson, La., Vice President
Miss Gail Laughlin, Me., Vice Chairman National Council
Miss Anita Pollitzer, S. C., Secretary
Miss Edith Ainge, N. Y., Treasurer
Miss Maud Younger, Cal., Congressional Chairman
Mrs. Emma Fox, Mich., Parliamentarian
Mrs. Stephen Pell, N. Y., Finance Chairman.
Mrs. Abbey Scott Baker, D. C., Political Chairman
Mrs. Jacob Riis, N. Y., Chairman Committee on Endowment Fund
Mrs. Richard Wainwright, D. C., Headquarters Maintenance Chairman
Mrs. Florence Bayard Hilles, Del., Headquarters Remodelling and Furnishing Chairman.
Mrs. Lawrence Lewis, Pa., Chairman Committee on International Relations.
Mrs. Dora G. Ogle, Md., Business Manager of EQUAL RIGHTS.
Mrs. Arthur Cramer, Mich., Organization Chairman
Mrs. Genevieve Allen, Cal.
Mrs. Anne Archbold, Me.
Miss Laura Berrien, Ga.
Mrs. Florence Brewer Boeckel, D. C.
Mrs. John Wilters, Bramann, N. Y.
Mrs. A. H. Bright, Minn.
Miss Mary Gertrude Fendall, Md.
Miss Zona Gale, Wis.
Miss Sara P. Grogan, Ga.
Mrs. George T. Hendric, Mich.
Miss Elsie Hill, Conn.
Miss Inez Haynes Irwin, N. Y.
Mrs. William Kent, Cal.
Mrs. John C. Martin, Pa.
Mrs. Sohpie G. Meredith, Va.
Mrs. Loring Pickering, N. Y.
Mrs. Townsend Scott, Md.
Mrs. Clarence Smith, N. Y.
Miss Mabel Vernon, Del.
Dr. Caroline E. Spencer, Colo.
Mrs. Amelia Himes Walker, Md.
Mrs. Florence Brooks Whitehouse, Me.
Mrs. Nelson Whittemore, Mich.
Miss Mary Winsor, Pa.

National Headquarters of the Woman's Party

The new Headquarters of the Woman's Party are across the plaza from the Capitol of the United States.

THROUGH these great Headquarters in Washington the National Woman's Party will carry on its campaign to remove all forms of the subjection of women. Here in their own clubhouse women leaders from all parts of this country and from other countries will meet and unite their efforts to make women, the world over, free and independent.

Price 5 Cents

From This Terrace the View is Across the Park and Plaza to the Capitol

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The New Headquarters of the Woman's Party

FACING the Capitol of the United States, across from the beautiful plaza grounds to the east of the halls of Congress, stands one of Washington's most historic buildings. It is a spacious mansion, built after the substantial manner of a century ago, surrounded by gardens and shaded by magnificent old trees.

This house has been purchased by the National Woman's Party to be used in the service of women. No more ideal location in the United States could have been secured for a woman's Headquarters. It stands at the very center of government, a visible symbol of the new relation of women to the problems of national life.

The service which such a Headquarters can render to women, as a clubhouse, as an information center, as the inspiration and focus of activities for the advancement of all women, as a meeting place for women of varied minds and different nations, is enormous. Such a national center has been the hope and dream of women for years. It is now a reality.

Purchase of Headquarters

When, early in 1921, its work for suffrage successfully concluded, the National Woman's Party became a permanent organization, the decision was made to secure permanent Headquarters through which work for the advancement of women could be effectively carried on. In less than a year this decision was carried out. A great building has been bought and completely paid for. The purchase of the mansion and its surrounding grounds was made possible through the noteworthy gift by Mrs. O. H. P. Belmont, President of the Woman's Party, of approximately $157,000, the largest gift to the cause of women ever made by a woman during her own lifetime.

FOR the first time in the history of the nation, a Woman's Headquarters, representing women's power and dedicated to women's interests, stands at the very center of the nation's Capital

In addition to the magnificent gift of the Headquarters' building and grounds, Mrs. Belmont has also contributed to the Woman's Party the cost of the taxes and insurance on the property for two years, and has assumed the cost of the remodelling of the Headquarters.

Most organizations which attempt to establish great national headquarters must devote their resources, time and energy for years to the actual purchase of a building. The Woman's Party offers to all its members a great clubhouse, already paid for, and the cost of remodelling assured.

Its History

The history of the building is intimately connected with the history of the nation itself.

The house was built by a committee of citizens to house the Congress of the United States after the burning of the Capitol by the British during the War of 1812. Here, in the "Old Capitol," as it is now known, Congress sat during the years of 1815-19, and here President Monroe was inaugurated in 1817. Henry Clay was Speaker of the House of Representatives while that body sat in this building.

During the Civil War the "Old Capitol" became a Federal prison where Confederate prisoners of distinction were housed. Stories of romance and bravery are mingled with the sorrows of the trying war days in the memories which have come down from these famous war prisoners. Belle Boyd, the beautiful young Southern spy, has left reminiscences of the days spent in the Capitol prison and of the ways in which her woman's wit outmatched the vigilance of her guards in devising means of communicating with her companions. Among the prisoners of note confined in the Capitol prison were Colonel Mosby of Mosby's raid, Mrs. Surratt, and Captain Wirz of the Andersonville prison.

When not in the direct service of the government, the "Old Capitol" has been the home of distinguished statesmen and jurists. To mention a few of its residents, Senator John C. Calhoun of South Carolina lived and died here; Senator Spooner of Wisconsin and Supreme Court Justice Field also occupied the house at various times.

So it is from a varied and important past that the "Old Capitol" comes to its future as a new Capitol for the women of all countries.

Location of Headquarters

The Headquarters are remarkably convenient in their situation. They are a few blocks from Union Station, across the street from Congress, one block from the Congressional Library, across the street from the Supreme Court Library, one block from the Office Building of the House of Representatives, one block from the Office Building of the Senate, and between two car lines that serve all Washington.

Dedication of Headquarters

Beautiful and significant ceremonies marked the formal dedication of the "Old Capitol" for its new purpose on May 21, 1922. Pageantry as simple and effective as that which dramatized the celebration of the suffrage victory at the Capitol accompanied the laying of the new cornerstone.

Messengers from the women of other nations brought their greetings for the occasion. Honorable Charles S. Curtis, of the United States Senate; Honorable Simeon Fess, of the United States House of Representatives and Chairman of the Congressional Committee of the Republican Party; and Honorable Thaddeus Carraway, representing the National Democratic Committee, participated in the ceremonies, bringing their good wishes for the new undertaking.

Mrs. Oliver H. P. Belmont, President of the National Woman's Party and Donor of the National Headquarters

Seats of honor during the dedication were occupied by Founders, Life Members, and Charter Members of the Woman's Party, and their names were placed in the cornerstone itself.

Remodelling Planned

In the near future the remodelling of the house for complete effectiveness as a National Headquarters for Women will be begun.

The building which represents the ideals and activities of women will be in itself a thing of beauty, as nearly perfect as it is possible to make it.

Value of the Headquarters to Members

Although the remodelling of the greater and finer Headquarters which is planned will not be completed for some time, the building is already in use and its value to women has already been tested.

The national offices of the Woman's Party have been established here, and from them the campaign for the legal, political, and civil equality of women is being directed. Departments of value to women in all their activities, national, state, and local, have already been organized.

Club House Facilities

The social advantages of the club house for women who live in Washington are obvious. For women throughout the country the value of membership is even greater. Women from all parts of the country visit Washington. To our members who come to the Capital City, the Headquarters will offer, when completed, the advantages of a clubhouse, where friends can always be found, where one is quickly in touch with the interesting things going on in the city, as well as with the activities of Congress and government departments.

A number of guest rooms will be available at reasonable prices. Meals will be served to house guests in the dining room of the club house. Tea before the fireplace in the living room is already an institution, and around the tea table are apt to be gathered women from many states, often from foreign lands.

Research Department

The Research Department at the Headquarters will provide members with information on government activities affecting women, measures before Congress affecting women, and various phases of the woman movement. Such information, easily secured at Washington, is often difficult to get accurately and quickly from a distance.

The Headquarters staff will act as Washington representative for the members of the Woman's

The South Garden

DEDICATION OF THE HEADQUARTERS, MAY 21, 1922

Party in securing and compiling information. For questions which require special investigations, a fee will be charged, but in many cases it will be possible to send to members the information desired merely for the cost of postage. For women's clubs, writers, students, as well as for the woman in the home, such a service will be, we believe, invaluable.

Women who come to Washington to write, to investigate, to study, will find that, with the aid of the Headquarters staff, it will be possible to get in touch with all official sources of information, government officials, government departments, the document rooms of the Senate and House, the offices of Senators and Representatives, the Library of Congress, the national offices of the many organizations centered in Washington, representing the activities of women, of labor, of the farmers, and of great industries.

A young woman who came to our Headquarters recently to secure information for an article which she wished to write, told us that if she had known that she could have secured this material by writing for it, she would have been willing to pay $35.00, the cost of her trip to Washington, since she would have been saved the time and effort of the trip. This incident is quoted not to show the fee for such a service, but to show what it may be worth.

Legislative Department

The Legislative Department in addition to its principal work of furthering the general program of the Woman's Party, will offer members expert advice on the drafting of women's legislation, local, state, or national. It will also provide members with advice and information on methods of securing legislation of interest to women. It will endeavor particularly to keep members informed concerning the legislation which the Woman's Party is supporting in Congress and the state legislatures and to inform them of ways in which they can best aid this legislation.

Legal Research Department

The Legal Research Department is now engaged in the most comprehensive and authoritative investigation of the laws concerning women ever made. Digests of the laws of a number of states are now completed. The entire forty-eight states will be covered by the end of the year. These digests, which are detailed and up-to-date, may be secured as soon as they are completed, from the Headquarters for $3.00 each. Leaflets summarizing in popular form the state laws discriminating against women may be secured for five cents for each state leaflet.

Library

A nucleus of a feminist Library dealing with all phases of the woman movement has been established and will be developed, it is hoped, into the best feminist library in the country.

Literature Department

The Literature Department has already created an entirely new literature in support of the Equal Rights program, to replace the suffrage literature used in the earlier activity of the organization. This literature is supplied to members of the organization as it is published.

Among the leaflets already prepared or now in preparation are ones showing the discriminations against women in the laws of the forty-eight states and the District of Columbia; in the federal laws; in government service; in the professions; in industry; in educational opportunities; in the church; in the enforcement of laws relating to sex offences; in the wages and salaries paid to women in public and private employment. Pamphlets have also been written giving the historical background of the Equality campaign, and giving information concerning this movement in other countries.

An International Centre for Women

The Headquarters is designated not only as a national centre for the carrying out of the program of the organization, but also as an international centre where women from all lands who are engaged in any activity for the advancement of women may meet and counsel together—in short, an international embassy for women.

Membership

Membership dues, which carry with them all the privileges of the club house, have been fixed for this year, ending June 1, 1923, at $10.00. Members of the Party will decide upon the amount of dues in future years.

For the woman who does not wish the privileges of the club house, but desires to take part in the Woman's Party campaign for the freedom of all women, a "campaign" membership is open at $1.00 a year. Half of the amount of both annual and campaign membership goes to the national and half to state Headquarters.

Front View of the Headquarters Showing the Four Entrances

Location of the Headquarters

X. WOMAN'S PARTY HEADQUARTERS

1. United States Capitol
2. United States Senate
3. United States House of Representatives
4. Congressional Library

National Council
of the
Woman's Party

President, MRS. OLIVER H. P. BELMONT, N. Y.
Vice-President, ALICE PAUL, N. J.
Chairman National Council, ELSIE HILL, Conn.
First Vice-Chairman, GAIL LAUGHLIN, Calif.
Second Vice-Chairman, DR. GILLETTE HAYDEN, Ohio
Third Vice-Chairman, MRS. AGNES MOREY, Mass.
Secretary, ANITA POLLITZER, S. C.
Treasurer, EDITH AINGE, N. Y.
Advisory Council Chairman, MRS. JOHN ROGERS, N. Y.
Legislative Chairman, MAUD YOUNGER, Calif.
Political Chairman, IZETTA JEWEL BROWN, W. Va.

Mrs. John Gordon Battelle, Ohio
Mrs. R. J. Caldwell, N. Y.
Mrs. Avery Coonley, D. C.
Mrs. George H. Day, Conn.
Lavinia Egan, La.
Zona Gale, Wis.
Sara P. Grogan, Ga.
Mrs. Donald R. Hooker, Md.
Inez Haynes Irwin, N. Y.
Mrs. William Kent, Calif.
Mrs. Lawrence Lewis, Pa.
Lola Maverick Lloyd, Ill.
Josephine Preston Peabody Marks, Mass.
Eleanor Taylor Marsh, D. C.
Sophie G. Meredith, Va.
Mrs. James Rector, Ohio
Lois Warren Shaw, N. H.
Dr. Caroline E. Spencer, Colo.
Mrs. Townsend Scott, Md.
Mrs. Robert Walker, Md.
Mrs. Robert T. Whitehouse, Me.
Margaret Whittemore, Mich.
Mary Winsor, Penna.
Mrs. Richard Wainwright, D. C.
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EVERYBODY'S WEEKLY
SECTION O
The Philadelphia Inquirer

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SEEKING FULL RIGHTS FOR WOMEN

By Elizabeth Hatfield Schnabel

President Pennsylvania Branch, National Woman's Party

WHEN boy meets girl on the screen or in fiction, it usually means romance. But when older boys meet older girls in everyday American life, it usually means inequality.

Or maybe you're one of those who think that when Susan B. Anthony daringly ordered a meal directly from a waiter instead of having it filter through a male escort she was well on her way to winning equal rights for women. Maybe you think that when women got the right to vote they got everything.

If so, you're wrong. You're as far from the truth as the substitute on the football bench is from getting into the entire game. Women, in effect, can watch men play football with domestic and national affairs. They can help and root and offer sympathy. But they can't get in the game themselves.

Take a woman's-eye-view of the national picture: In five States women can't hold office. In six States they are not allowed to act as guardians of their children. They can't collect their own earnings in fifteen States. They are obligated to do domestic work for their husbands in forty States; disqualified as jurors in twenty-five States and put at a disadvantage in contract rights in twenty-one.

THESE are the leftover inequalities that we are fighting today. Unlike the women of Germany and Japan and Italy, we won't fold our hands, hush our protests and settle back into domestic stagnation. Instead we will work, as we are working, to give "men their rights and nothing more, women their rights and nothing less."

Some weeks ago, for instance, we introduced a Constitutional Amendment into the Seventy-sixth Congress at Washington. The amendment reads: "Men and women shall have equal rights throughout the United

(Continued on Page [illegible])

Seeking Full Rights for Women

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By Elizabeth Hatfield Schnabel

(Continued From Page One)

States and every place subject to its jurisdiction. Congress shall have power to enforce this article by appropriate legislation."

Behind this amendment is the support of sixteen national and hundreds of State and local women's organizations. It has the support of the National Woman's Party, the American Alliance of Civil Service Women, the American Medical Women's Association, the National Association of Women Lawyers, the American Federation of Soroptimists and many other societies.

Unified Effort

TODAY the effort of all these groups is unified. No more do women man scattered picket lines outside the White House or interrupt legislative bodies. The noise-and-nuisance campaigns are a thing of the past, like Susan B. Anthony's first and only vote.. This famous worker for woman's rights cast that vote in the Presidential election of 1872. She claimed that the Fourteenth Amendment entitled her to it. Officials answered her with a hundred-dollar fine, but Miss Anthony refused to pay it. Thus her one vote was the first cast by a woman. Unfortunately she died fourteen years before another amendment actually gave her sisters the right she had exercised.

Today some women advance the idea that our complete equal rights amendment would jeopardize women's rights to alimony and to mothers' assistance and other pensions. That is, they say, absolute equality would strip women of some of the inequalities they now enjoy.

My answer to the alimony argument is that I have absolutely no tolerance for the woman who marries for her husband's support. If alimony were outlawed by our amendment, it would be as much a boon to women as to men. We don't want to be any less women, but, when we come before the courts of law, we want to be on equal footing with our partners, men. That, to me, is the general answer for all the small objections to our present purpose of winning equal rights for women.

Some women, too, have opposed the amendment on the grounds that it would cancel out beneficial industrial legislation, such as minimum wage and hour laws for women. But why shouldn't women be allowed to bargain with their employers on equal terms with men? Why should they depend on sex-linked favors for their rights? In the beginning, the United States excluded slaves and women from a share in government. After more than seventy years, slaves were given Constitutional rights. But it took another fifty years for the women to get out of the chattel class. Then women got the vote. But later, after their first joy had subsided, they realized that they were still far from having equal rights. A few laws in some States, many laws in other States, still kept them "off the team." Some of these laws actually date back to the Sixteenth Century and they're still depriving women of their fundamental rights.

As far back as 1776, Abigail Adams wrote a letter to her husband, John Adams, then sitting in the Continental Congress. In it she said: "I desire that you would remember the ladies. Do not put unlimited power into the hands of husbands. Remember all men would be tyrants if they could. If particular care is not paid to us ladies, we are determined to foment a rebellion and will not hold ourselves bound by any laws in which we have no voice."

Today, 164 years later, foreign observers actually are criticizing American women because "they have so much power, yet have done nothing to correct the intolerable mess which exists in the world today." I agree that the "mess" is intolerable. But I can't agree with Sir Hugh Walpole, who made the statement, that American women have "so much power."

The trouble is that the power of American women is leashed. A country half free and half fettered cannot truly be called a democracy. Nor can women with half rights correct the mess which exists in the world today. To me the request itself is a little unfair. What does a woman worker get for her pains? A national holiday named after her, a monument, a park or playground commemorating her efforts? Very few get these things. Mostly a woman wins a tombstone which says, "She did her duty. May she rest from her labors."

Elizabeth Hatfield Schnabel.

Fight Goes On

AMERICAN women aren't indifferent to the present European crisis. They are eager to do something, but they feel helpless under the limitations which still hamper their efforts.

If the authors of the Constitution had heeded Mrs. Adams' warning the picture might even be different today. Unfortunately, they didn't and it wasn't until 1848 that the movement for women's rights was far enough advanced so that Elizabeth Cady Stanton and Lucretia B. Mott could call a convention. That started the long fight that didn't reach a climax until Congress and the States passed the Twentieth Amendment in 1920.

Too many women thought of an end of the fight rather than a They developed that dangerous "inertia praecox," and settled enjoy the rights they had without ing of those they still lacked. though the slogan, "Votes for has been changed to "Equal Women," the fight is still Meanwhile the amendment to make this last slogan a reality Congress on its way to the States thousands of women hope and it will be ratified this year.

Ardent Femini

ELIZABETH HATFIELD S comes naturally by her spirit. One ancestor, Jacques came to Pennsylvania with Wil in 1688. Another, Peter Le Fe eled by covered wagon to Ohi

Long after the pioneer per beth Hatfield left her Ohio ho ated with highest honors fro Hospital's Training School and became the first regist Piqua, Ohio. Later she was the first cial worker in the Italian settlement in New York; the first welfare worker in Dobbs Ferry, Ardsley, and Hastings, N. Y.

Always an ardent feminist, she turned, after her marriage to the well-known Philadelphia educator, Ellis A. Schnabel, to civic and social betterment. She was one of the founders and the first secretary of the Women's City Club of Philadelphia and a leader in many other organizations.

A popular lecturer and radio speaker, Mrs. Schnabel has been twice around the world. Today, as president of the Pennsylvania Branch of the National Woman's Party, she is busier than ever in women's affairs and their long fight for equal rights.

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COLUMNS FOR

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THE MOTHER OF THE MAN

By Hall Caine

When the Lord of the Creation gave
the woman to the man,
In that blest but brief existence ere
the rule of ill began,
Then He knew, whate'er her conduct,
whether innocent or frail,
That the female of the species would
be scapegoat to the male.

When He banished them from Eden
for the sin that each had
wrought,
And the flaming sword of vengeance
sealed the fate that both had
sought,
Then He knew throughout the ages,
long as man should tell the tale,
That the female of the species would
be temptress to the male.

When He cast His children from Him,
and by primal earthly vow
Doomed their seed to eat their life-
bread in the sweat of blood and
brow,
Then He knew where paths were red-
dest down the line of labor's
trail,
There the female of the species would
be slavemate to the male.

When He dowered the man with pas-
sions, when He formed him
from the dust,
With its wilderness of instincts, with
its burden of distrust,
Then He knew that in the whirlwind
of his manhood's wasteful gale,
Still the female of the species would
be subject to the male.

When He ordered that the woman,
both as mother and as wife,
Should obey her law of being as the
vehicle of life,
Then He suffered it to happen, lest
the generations fail,
That the female of the species might
be "deadlier" than the male.

When the Lord of the Creation gave
the woman to the man,
In that blest but brief existence ere
the rule of ill began,
Then He willed it that, if sharing in
man's fault and in his fate,
She should therefore be his equal and
the partner in his state.

Not to govern or cajole him, not to
court or speak him smooth,
Not to snare or to enslave him, but
to cheer, inspire and soothe;
Not his temptress, not his slavemate,
not his subject, not his squaw,
But his helpmate and his angel, by
the right of God's own law.

If He cursed the man with labor as
the human lot's alloy,
He provided that for woman his work
should be his joy.
If He dowered the man with passions
which the grosser instincts
move,
He reserved it to the woman to uplift
his lust to love.

If He ordered that the mother for the
children of her womb
Should dare her death by travail and
fight till crack of doom,
He ordained that by that impulse, still
the purest and the best,
She should gather all that suffer in
her pity to her breast.

Nurturing, nursing, guarding, loving,
giving strength with heart and
hand;
Paying toll in pangs to nature which
no man may understand;
Dauntless from the God who made her
without fear to draw her
breath;
Savior of the weak and helpless, first
at birth and last at death.

Since the Lord created woman, she
became a living soul.
Hers has been the old earth's burthen,
age on age, from pole to pole.
Hers the conflict, hers the conquest,
hers the flag of life unfurled,
Hers the sorrow, hers the suffering,
hers the love that moves the
world.

Therefore why should man, the in-
grate, when he chooses to con-
fer,
Welcome every fool and coward, only
close the door on her?
Room, sirs, room within your councils,
bare your foreheads if you can,
For behold, without your portal stands
the Mother of the Man!

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THE MARCH OF THE WOMEN.

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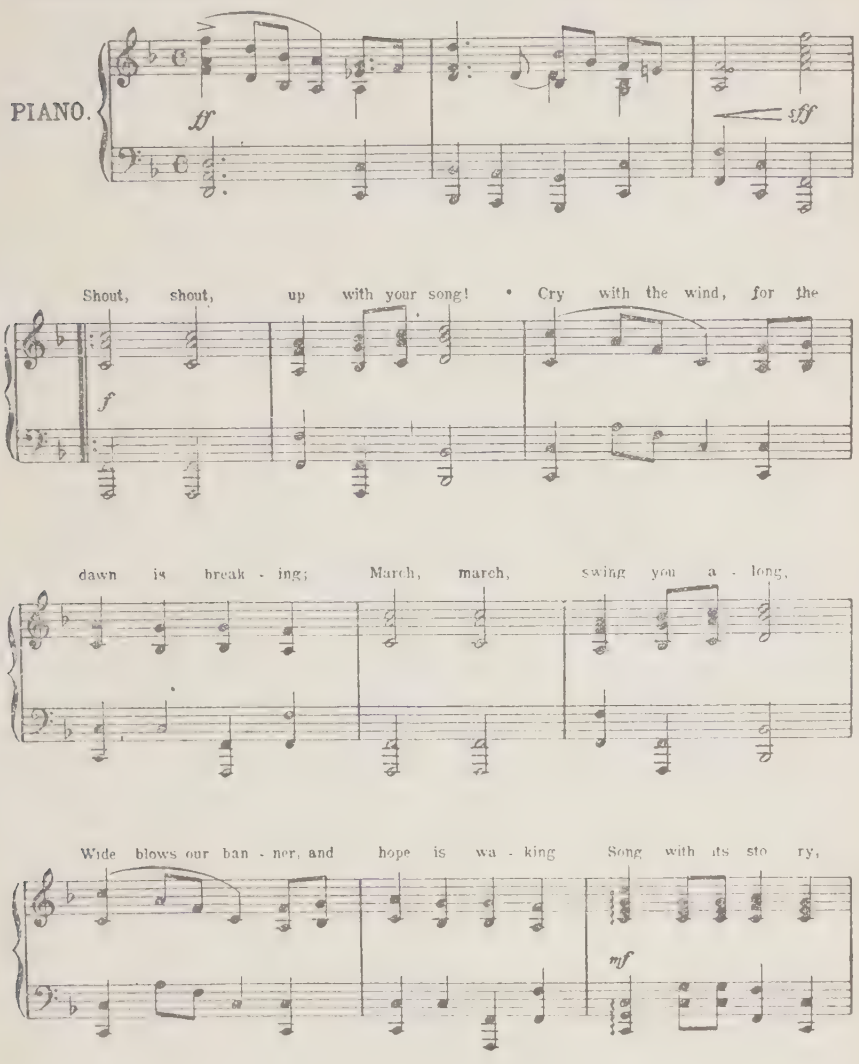
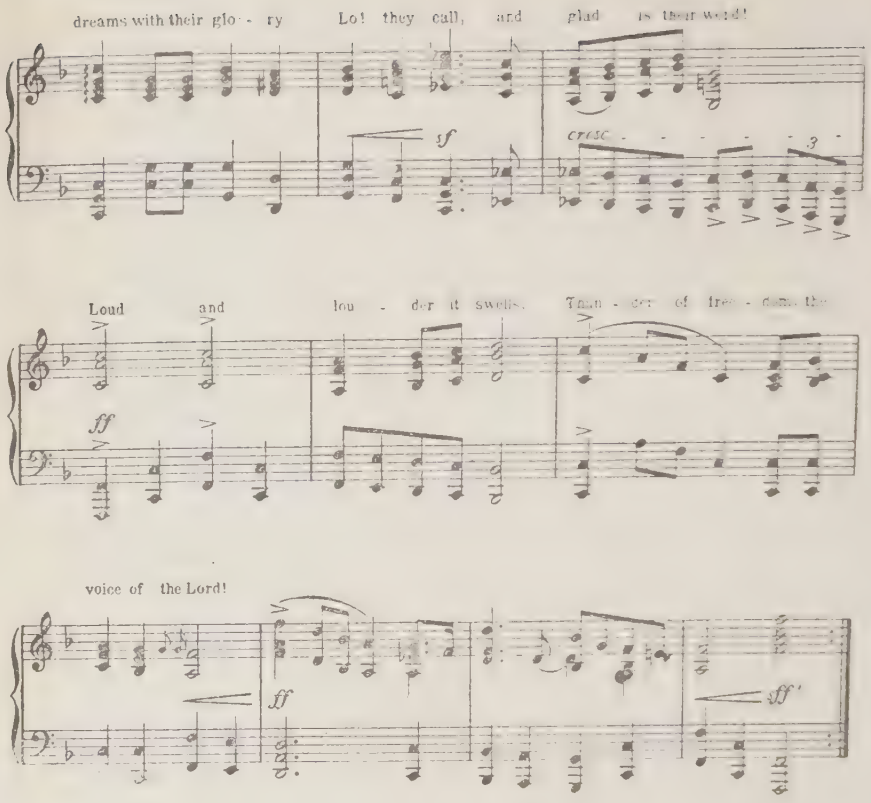
ETHEL SMYTH, Mus. Doc.


PIANO.
Shout, shout, up with your song! Cry with the wind, for the
dawn is break - ing; March, march, swing you a - long,
Wide blows our ban - ner, and hope is wa - king Song with its sto ry,


dreams with their glo - ry Lo! they call, and glad is their word!
Loud and lou - der it swells. Than - der of free - dom the
voice of the Lord!

2

Long, long—we in the past
  Cowered in dread from the light of heaven.
Strong, strong—stand we at last,
  Fearless in faith and sight new-given.
Strength with its beauty, Life with its duty,
  (Hear the voice, oh hear and obey!)
These, these—beckon us on!
Open your eyes to the blaze of day.

3

Comrades—ye who have dared
  First in the battle to strive and sorrow!
Scorned, spurned—nought have ye cared,
  Rising your eyes to a wider morrow.
Ways that are weary, days that are dreary,
  Toil and pain by faith ye have borne;
Hail, hail—victors ye stand,
  Wearing the wreath that the brave have worn

4

Life, strife—these two are one,
  Naught can ye win but by faith and daring.
On, on—that ye have done
  But for the work of to-day preparing.
Firm in reliance, laugh a defiance,
  (Laugh in hope, for sure is the end).
March, march—many as one,
  Shoulder to shoulder and friend to friend.

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Villa Bartholomi
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Is There No Difference Between Men and Women?

HERE comes the National Woman's party with a renewed declaration of war on man as such. Mrs. Arthur B. Cramer, congressional chairman of the Michigan branch of the organization, throws down the gauntlet in the form of the "equal rights" amendment to the federal constitution. Something of the kind was presented to the Michigan legislature during its last regular session, and was defeated by men who believed it would do women more harm than good. When it first arrived in Lansing it contained a provision for separate domiciles for husband and wife, but that was soft-pedalled before the vote was taken. But to understand the spirit of the proposed federal amendment we must listen to Mrs. Cramer:

Woman has always had to be a coaxing, wheedling creature, who, when she got something out of man, was accused of trickery.

All the husbands who take pride and pleasure in devoting their lives, their work, and their income to their wives and children without waiting to be coaxed or wheedled must have died recently. And here's another one:

The time has come for women to lay their cards on the table and to meet as man to man.

Many women lay their cards on the table every afternoon. Others could table their speeches at the same time without any loss to the sum of human knowledge or any retardation in the intellectual advancement of the race. Nor do we see how women can meet "as man to man." Certain well-known differentiations, physical and temperamental, for which the Creator is solely responsible, seem to make that impossible in this world. The next exhibit is better:

The married woman loses her identity and all of her rights. Conditions under which the business or industrial woman works are unequal enough, goodness knows, but when she marries, 75 per cent of disabilities are added.

The business and industrial women represented by the women's trade unions are opposed to the "equal rights" amendment because they realize it may jeopardize all the advantages they have won for their own protection. They are opposed to Mrs. Cramer when she says:

We don't want protective legislation for women unless we have it for men.

Shall we repeal our age of consent laws, which protect girls, but do not protect boys?

The National Woman's party will never get anywhere by amending the constitution. It will have to amend the Almighty.

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